

AGENDA
ZONING BOARD OF ADJUSTMENT AND APPEALS
CITY HALL COUNCIL CHAMBERS
THURSDAY, MARCH 17, 2022 AT 3:00 PM

- A. Prayer**
- B. Pledge of Allegiance**
- C. Call to Order**
- D. Determination of a Quorum**
- E. Confirmation of Agenda**
- F. Adoption of Minutes**

F1. Zoning Board Meeting - February 17, 2022

- G. Hearing of Cases**

G1. Public Declaration of Appeal Process of Chairman

Any person or any officer, department or agency of the City aggrieved by any decision of the Zoning Board of Adjustment and Appeals may, within fifteen (15) days thereafter appeal there from to the mayor and City Council by filing with the Planning Division a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Zoning Board shall cause a transcript of the proceedings in the case to be certified to the mayor and City Council, and the matter will be heard on said transcripts. The filing fee for an appeal, is based on the actual cost of the required official transcript and any related miscellaneous charges. Any appeal shall be in writing and submitted to the Department of Urban Development-Planning Division stating what decision is being appealed and detailing how you are aggrieved.

G2. Anyone speaking today is asked to complete a "Speaker's Card".

Please provide the completed card at the time you speak to the Zoning Board. City staff personnel can assist in any questions you may have or in completing the card. This public meeting is open to all for comment.

G3. Routine Agenda

1. Variance 2203ZB030:

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

2. Variance 2203ZB032:

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

3. Variance 2203ZB035:

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

4. Variance 2203PC037:

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

5. Variance 2203ZB038:

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-business), Ward 3

6. Variance 2203ZB040:

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

7. Variance 2203ZB041:

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910I-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

8. Variance 2203ZB042:

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

9. Excessive Height 2204ZB044:

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

H. Adjournment

MINUTES

ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING

Thursday, February 17, 2022 3:00 P.M.

GULFPORT CITY COUNCIL CHAMBERS

- A. **Prayer**: The Zoning Board led a prayer.
- B. **Pledge of Allegiance**: The Pledge of Allegiance was recited.
- C. **Call to Order**: The meeting of the Planning Commission was called to order at **3:00 pm**.
- D. **Determination of a Quorum**: A Roll Call was conducted and a quorum was determined.

BOARD MEMBERS PRESENT:

LESLIE NORTH
MARY ANN WIGINTON
MICHAEL DANIELS
ROBERT PHARR
JONATHAN MARSHALL
NATHAN BODDIE

BOARD MEMBERS ABSENT:

LEE PALERMO
MICHAEL DANIELS

STAFF MEMBERS PRESENT

GREG HOLMES
NELISIA NEWELL
DEREK DUCKWORTH

COURT REPORTER:

NORMA SOROE

E. Confirmation of Agenda:

F. Approval of Minutes:

Motion by **Mr. Marshall** and seconded by **Mrs. Wiginton** to approve Minutes of the **January 20, 2021**, Zoning Board meeting was carried unanimously.

G. Hearing of cases:

G1. The declaration of appeal process was read by the Chairman of the Zoning Board: Any person or any officer, department, or agency of the city aggrieved by any decision of the Board of Adjustment and appeals may within fifteen (15) days thereafter appeal there from to the mayor and city council by filing with the Planning Division a written notice of appeal specifying the decision from which the appeal is taken. In case of such appeal, the Planning Division shall cause a transcript of the proceedings in the case to be certified to the mayor and city council, and the matter will be heard on said transcript. The filing fee for an appeal is based on the actual cost of the required official transcript and any related miscellaneous charges. Any appeal shall be in writing and submitted to the Department of Urban Development – Planning Division stating what decision is being appealed and detailing how you are aggrieved.

G2. The Chairman asked all individuals speaking at today's meeting to complete a speaker's card.

G3. Routine Agenda:

1. Variance 2202ZB022:

Variance 2202ZB022, by owner J Clark LLC, tax parcels 0707P-01-023.000 & 0707P-01-024.000, Requests variances for size, height, and placement of accessory structure, 13263 John Clark Rd, R-1-15 (Single-family), Ward 7

Speaking for the Petition: David Jones

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mr. Marshall

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Yea

Action: Motion carried unanimously.

2. Variance 2202ZB023:

Variance 2202ZB023, by owners Greg & Amy Parker, tax parcel 0910A-03-031.010, Request variance for setback, 18 High Point Dr., Zoned R-1-7.5 (Single-family), Ward 4

Speaking for the Petition: Amy Parker

Speaking against the Petition: None

Motion: Mr. Marshall – To approve applicant request.

Second: Mr. Boddie

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Yea

Action: Motion carried unanimously.

3. Variance 2202ZB024:

Variance 2202ZB024, by owner Mary Roberts, tax parcel 0808J-02-030.000, Requests variance for setback, 102 S Kerns Dr., Zoned R-1-10 (Single-family), Ward 5

Speaking for the Petition: Mary Roberts

Speaking against the Petition: None

Motion: Mrs. Wiginton – To approve applicant request.

Second: Mr. Marshall

Lee Palermo	- Chairman
Leslie North	- Yea

Mary Ann Wiginton - Yea
Michael Daniels - Absent
Robert Pharr - Yea
Nathan Boddie - Yea
Jonathan Marshall - Yea

Action: Motion carried unanimously.

4. Variance 2202ZB025:

Variance 2202ZB025, by owner Chris Kern, tax parcel 0910B-04-002.000, Requests variance for accessory structure size & height, 4815 Jefferson Ave, Zoned R-UE (Residential Urban Estates), Ward 4

Speaking for the Petition:

Speaking against the Petition:

Motion:

Second:

Lee Palermo - **Chairman**
Leslie North -
Mary Ann Wiginton -
Michael Daniels -
Robert Pharr -
Nathan Boddie -
Jonathan Marshall -

Action: WITHDRAWN

5. Special Exception 2202SE029:

Special Exception 2202SE029, by owner REM Mississippi, tax parcel 0811F-02-041.000, Request an adult daycare use, 1620 23rd Ave, Zone T4+ (General Urban Zone "Plus"), Ward 3

Speaking for the Petition: Jessica Matthews

Speaking against the Petition: None

Motion: Mr. Boddie – To approve applicant request.

Second: Mrs. Wiginton

Lee Palermo - **Chairman**
Leslie North - Yea
Mary Ann Wiginton - Yea
Michael Daniels - Absent
Robert Pharr - Yea
Nathan Boddie - Yea
Jonathan Marshall - Yea

Action: Motion carried unanimously.

6. Variance 2212ZB185:

Variance 2112ZB185, by agent Kris Lafleur, tax parcel 1010N-01-081.000, Variances for accessory buildings quantity, size, and setback, 2014 St. James Blvd, Zoned R-1-7.5 (Single-family), Ward 2

Speaking for the Petition: Greg Holmes

Speaking against the Petition: None

Motion: Mr. Marshall – To amend legal.

Second: Mr. Boddie

Lee Palermo	- Chairman
Leslie North	- Yea
Mary Ann Wiginton	- Yea
Michael Daniels	- Absent
Robert Pharr	- Yea
Nathan Boddie	- Yea
Jonathan Marshall	- Yea

Action: Motion carried unanimously.

Adjournment:

Motion by **Mrs. Wiginton** to adjourn the meeting was seconded by **Mr. Pharr** and carried unanimously. The meeting adjourned at **3:37 pm**.

THESE MINUTES WERE APPROVED BY A VOTE OF THE ZONING BOARD OF ADJUSTMENT AND APPEALS.

Nathan Boddie, Secretary

Date: _____

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Public Declaration of Appeal Process of Chairman

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Anyone speaking today is asked to complete a "Speaker's Card".

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Routine Agenda

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB030:

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB030

Hearing Date: March 17, 2022

Current Zoning/Use: R-1-7.5 / Vacant

Legal: Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests two variances, (1) Variance to allow a 4.3 east side yard setback where 8 feet are required. (2) Variance to allow a 7.5 west side yard setback where 8 feet are required in an R-1-7.5 (Single-family) zoning district.

The existing parcel contains approximately 8,051 square feet. In addition, R-1-7.5 zoning district requires a 25 feet front yard setback, 8 feet side yard setback, and 8 feet rear yard setback. The applicant meet the required front and rear yard setbacks. In review of the site plan submitted by the applicant, the lot is a narrow with a lot width of 28 feet in the front and widens towards the rear of the property at approximately 73.4 feet.

- (a) The applicant notes that special conditions exist because lot is very narrow, and has a utility easement on one side.
- (b) In the application, the applicant cites that city lots are usually wider, which allows for the required 8-foot side yard setback. Also, the utility easement makes it more difficult to build a normal size house to be built without a variance.
- (c) The applicant notes that the hardship is based on the utility easement and the shape of the property. The applicant could build a home with less square footage without needing a variance. The applicant has not provided a hardship.
- (d) The applicant further states "by developing the vacant lot, the city and the county will benefit economically by the raise on property taxes, monthly payment of city utilities, and by the area being acquiring more value due to new construction."
- (e) The applicant has stated by getting the variance we will not receive any special privileges due to the lot of the neighboring properties are small and could apply for the same request.
- (f) This property is zoned R-1-7.5 (Single-family) district. A single-family home are permitted uses by right.

EXECUTIVE SUMMARY

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet all six criteria set forth by the City of Gulfport.

Any approval should consider these conditions:

- 1. Variance would allow an east side yard setback of 4.3 feet and a west side yard setback of 7.5 feet.
- 2. Maintain drainage from affecting adjacent lot.
- 3. All construction shall meet Building Codes. The garage wall located equal to or less than 5 feet shall be fire rated for one hour, and with limited openings.

DEPARTMENTAL CONDITIONS

Engineering: Conditions. Maintain drainage from affecting adjacent lot. Memo dated 3/7/2022.

Public Works: No comments as of 3/7/2022.

Technical Report

VARIANCE

Traffic and Safety:

No conditions. Memo dated 2/28/2022.

Building Code Services:

All construction shall meet Building Codes. The garage wall located equal to or less than 5 feet shall be fire rated for one hour, and with limited openings. Memo dated 2/28/2022.

GIS:

No conditions. Memo dated 3/3/2022.

Police Department:

No conditions. 3/2/2022.

Fire Department:

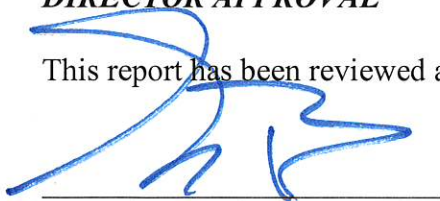
No conditions. Memo dated 2/28/2022.

City Arborist:

No conditions. Memo dated 3/1/2022.

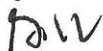
DIRECTOR APPROVAL

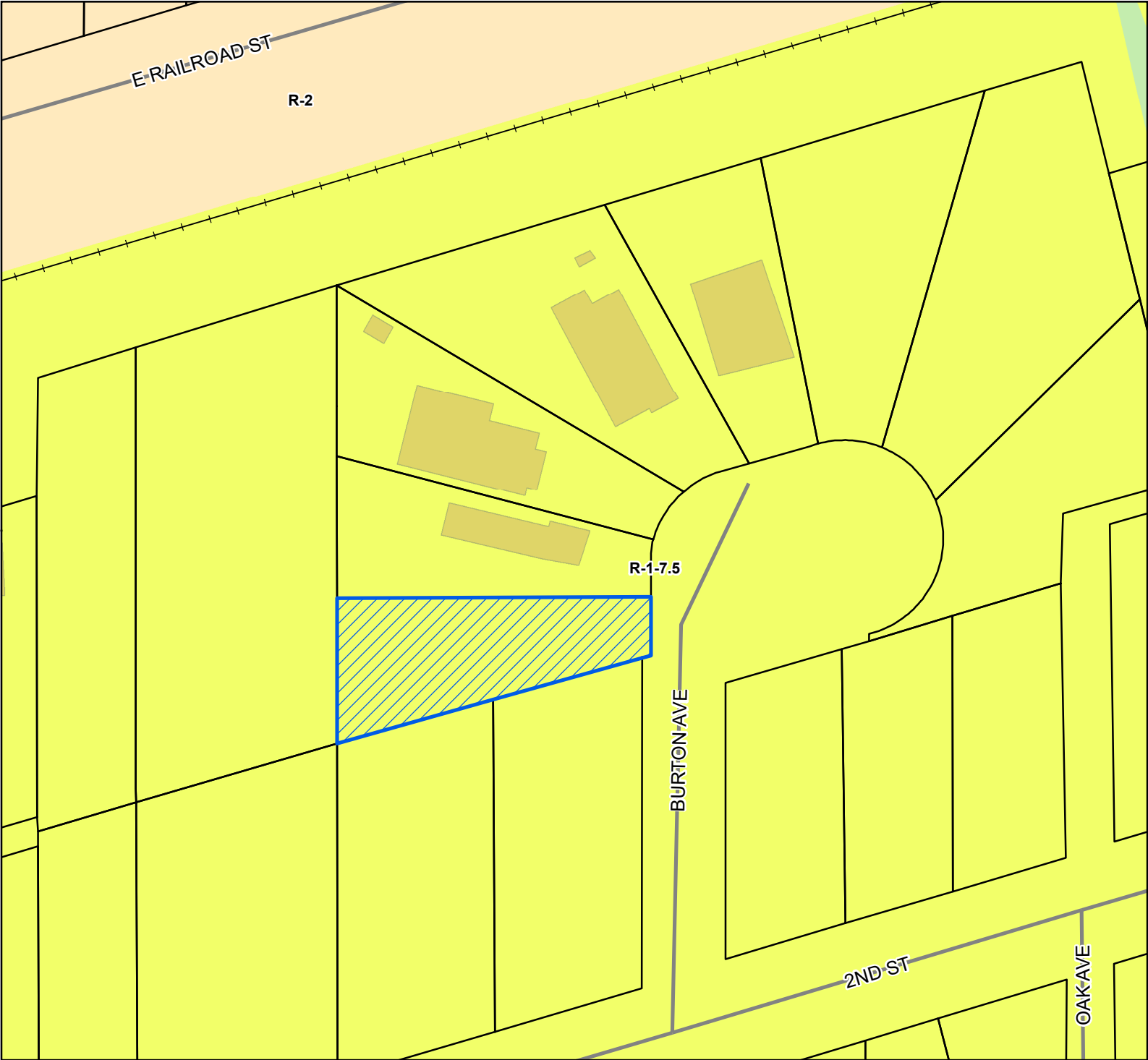
This report has been reviewed and approved by:



Greg Pietrangelo

Director of Urban Development Department





Legend

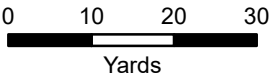
- Site
- Street
- Railroad
- Parcels
- Buildings
- Water Features

Zoning

- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

Site Information

0911C-02-003.007
Zoning: R-1-7.5 (Single-family Residence District)
Size: 8,051 square feet
Flood: AE



1 inch = 70 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 220328030Date Received: 1/7/22

Receipt #: _____

Received By: D²Zoning: R-1-7.5Ward: 2 Flood: AESize: 8,051 Sq. Ft.

(If necessary, use separate sheet of paper)

TAX PARCEL #

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Address of Property Involved: 1803 Borton Ave Gulfport MSLot(s) 1, Block(s) _____, Subdivision Second street cove subd.General Location: North on Second street before Centennial plaza**GENERAL DESCRIPTION OF REQUEST:**

Allow Right side setback to be 4' in the
garage area.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Juan D. Castano
Printed Name Of Owner

16271 Greenglade Dr.
Mailing Address

Gulfport MS 39503
City State Zip code

228.236.5151

Home Phone Work/Cell Phone

davidcastano@att.net

Email

[Signature]
Signature Of Owner

Juan D. Castano
Printed Name Of Agent

16271 Greenglade Drive
Mailing Address

Gulfport MS 39503
City State Zip code

228.236.5151

Home Phone Work/Cell Phone

[Signature]

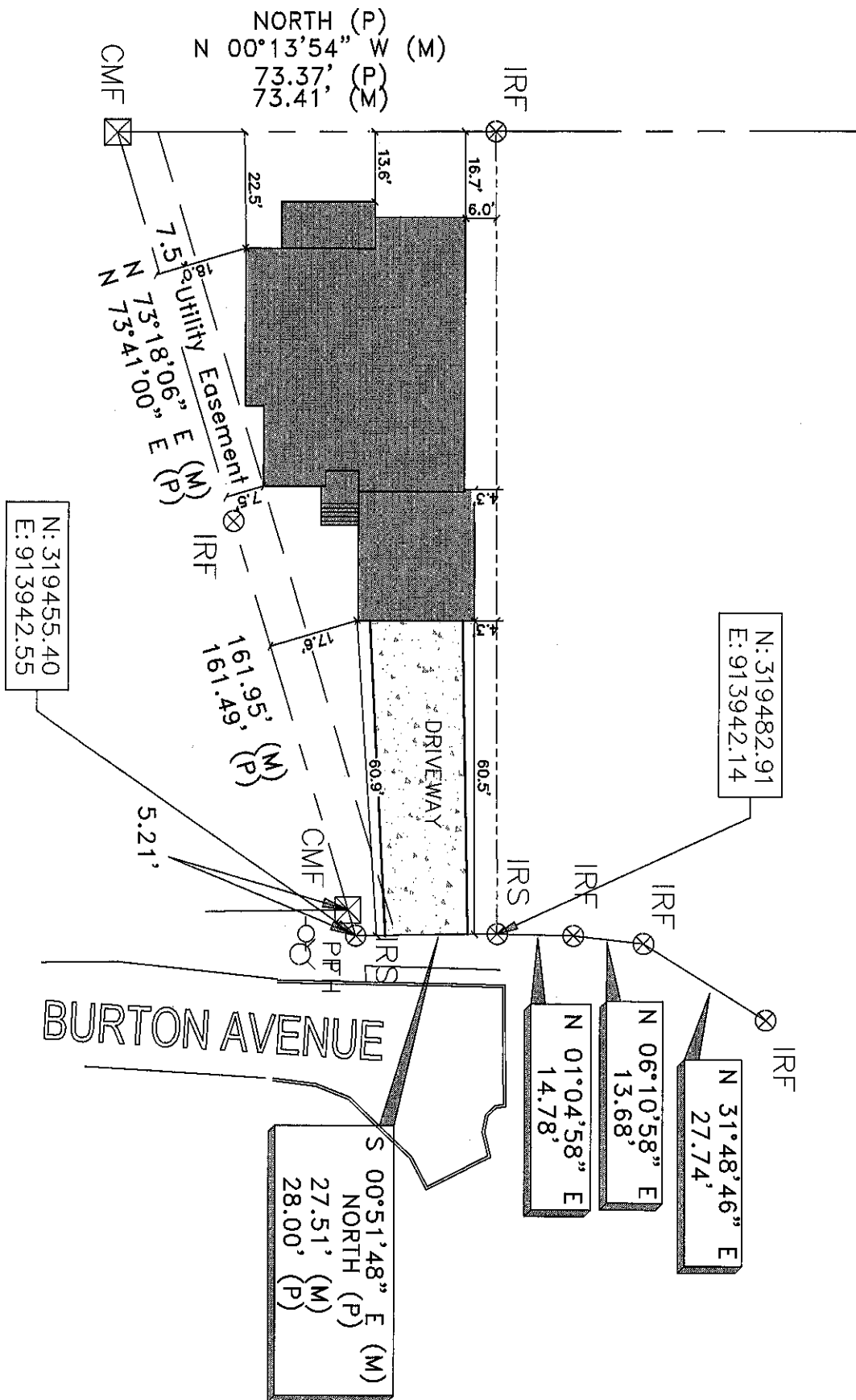
Email

[Signature]
Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



INDEXING INSTRUCTIONS: LOT ONE (1), SECOND STREET COVE, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI

This instrument prepared by and return to:

Joel Blackledge, MSB 10606
Blackledge Law Firm
PO Box 8155
Gulfport, MS 39506
(228) 669-6254
File No.: 634.723

STATE OF MISSISSIPPI
COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged,

Carolyn Timko
774 McLane Ln
Biloxi, MS 39532
(228) 326-6236

do(es) hereby sell, convey and warrant unto

Juan D. Castano
16271 Greenglade Drive
GULFPORT, MS 39503
(228) 236-5151

the following described land and property being located in Harrison County, Mississippi, being more particularly described as follows, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the 2021 year have been pro-rated between the parties

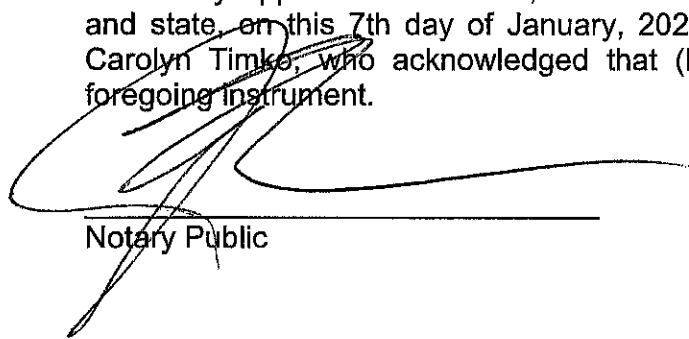
WITNESS MY SIGNATURE, on this the 7th day of January, 2022.



Carolyn Timko

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 7th day of January, 2022, within my jurisdiction, the within named Carolyn Timko, who acknowledged that (he) (she) (they) executed the above and foregoing instrument.



Notary Public

EXHIBIT "A"

LOT ONE (1), SECOND STREET COVE, A SUBDIVISION ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI IN PLAT BOOK 37 AT PAGE 30, THEREOF; REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

AND ALSO A 1/8TH INTEREST IN AND TO THAT CERTAIN ISLAND AREA IN THE MIDDLE OF BIRTON AVENUE (A PART OF SAID SECOND STREET COVE) BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT: BEGINNING AT THE SOUTHEAST (SE) CORNER OF LOT ONE (1) OF SAID SECOND STREET COVE AND RUN CIRCULAR ALONG THE BOUNDARY BETWEEN THE LOT LINE AND THE RIGHT-OF-WAY OF BURTON AVENUE TO THE SOUTHWEST (SW) CORNER OF THE EIGHTEEN (18) FOOT DRAINAGE EASEMENT AS SHOWN ON THE SUBDIVISION PLAT; THENCE RUN WESTERLY ALONG THE SOUTH RIGHT-OF-WAY LINE OF BURTON AVENUE A DISTANCE OF FIFTY-FIVE (55) FEET, MORE OR LESS TO THE NORTHEAST CORNER OF THE EAST RIGHT-OF-WAY OF BURTON AVENUE AS IT RUNS NORTH FROM SECOND (2ND) STREET; THENCE RUN NORTHWESTERLY TO THE POINT OF BEGINNING.

1803 Burton Ave.

1. special conditions exist because lot is very narrow, plus it has an utility easement on one side
2. City Lots are usually wider, which allows for 6' setbacks. Also, mentioned lot has a utility easement with makes it harder to a normal size house to be built there without the variance.
3. An unnecessary hardship is created by the city utility easement. Also, an unnecessary hardship is created by the shape of the lot.
4. By developing the vacant lot, the city and the county will benefit economically by the raise on property taxes, bu the monthly payment of city utilities, and by the area being acquiring more value due to new the construction.
5. By getting the variance we will not received any special privilege, bacause any neighbor on the same situation could apply for the same benefit.
6. The propose vaiance is permissible by right, because after approval and later construction, new development will stay within the property boundaries.



Covenant Affidavit

I, Juan A Castano,

PRINT NAME

being owner or agent of the property

1803 Burton Ave

PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]

Signature

Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 7th day of January, 2022

Inacy D. Boyd

Notary Public



03/22/2025

Commission Expiration

Variance



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	108971	0911C-02-003.007	JUAN D. CASTANO (OWNER)	16271 GREENGLADE DR	GULFPORT	MS	39503
N			Adjacent Property Owners				
	30164	0911C-02-037.000	BERTUCCI EVAN & KIMBERLY	4904 LAUREL ST	NEW ORLEANS	LA	70115
	30163	0911C-02-036.000	DAVENPORT VICTORIA B	12 32ND STREET UNIT B	GULFPORT	MS	39507
	30178	0911C-01-191.000	GOODWIN ELIZABETH A ETAL	7 WILFRED CT	TOWSON	MD	21204
	27907	0911C-02-043.001	GRESSETT RITA BATEMAN & JOHNNY D	5154 SL WILSON RD	MERIDIAN	MS	39301
N	56005	0911C-02-043.000	GRESSETT RITA BATEMAN & JOHNNY D	5154 SL WILSON RD	MERIDIAN	MS	39301
	93703	0911C-02-039.001	GRIMES SAMUEL G & LYNNE J	686 OAHU CT	DIAMONDHEAD	MS	39525
	27901	0911C-02-040.000	GULFPORT CITY OF	PO BOX 1780	GULFPORT	MS	39502
N	95143	0911C-02-002.001	GULFPORT CITY OF	P O BOX 1780	GULFPORT	MS	39502
	108972	0911C-02-003.003	JONES EARL P JR & PATRICIA J DEVENS	25098 E ALDER DR	AURORA	CO	80016
N	108970	0911C-02-003.002	JONES EARL P JR & PATRICIA J DEVENS	25098 E ALDER DR	AURORA	CO	80016
	55963	0911C-02-003.000	JONES EARL P JR & PATRICIA J DEVENS	1810 BURTON COVE	GULFPORT	MS	39507
	102784	0911C-02-044.001	KNOX EDWARD	14765 N SWAN RD	GULFPORT	MS	39503
	55470	0911C-01-190.000	LAND TRUST FOR MISS COASTAL PLAIN	PO BOX 245	BILOXI	MS	39533
N	55466	0911C-01-192.000	LAND TRUST FOR MISS COASTAL PLAIN	PO BOX 245	BILOXI	MS	39533
	30168	0911C-02-006.000	MAHER BRIAN D & BARBARA S	13 OLD OAK LANE	GULFPORT	MS	39503
	108968	0911C-02-003.001	NGUYEN MINH KY HUU	137 FRANKLIN ST	ALLSTON	MA	2134
	93702	0911C-02-039.002	O'NEILL LINDY C	11557 BRIARSTONE	GULFPORT	MS	39503
	108969	0911C-02-003.006	PADGETT PATTY GAYE	P O BOX 6431	GULFPORT	MS	39506
	138452	0911C-02-038.001	PAGE WAYNE P & KATHRYN M	2918 LAUREL MIST CT	KINGWOOD	TX	77345
N	30165	0911C-02-038.000	PAGE WAYNE P & KATHRYN M	2918 LAUREL MIST COURT	KINGWOOD	TX	77345
	30162	0911C-02-035.000	RODRIGUEZ MISSY K ALLEN	11498 BRIARSTONE PLACE	GULFPORT	MS	39503
	56204	0911C-02-044.000	SCARBOROUGH ETTA L	6398 BUSH RD	PASS CHRISTIAN	MS	39571
	104388	0911C-02-039.003	SCHAUS ROGER & TINA	6514 MAUNA LOA DR	DIAMONDHEAD	MS	39525
	108971	0911C-02-003.007	TIMKO CAROLYN	774 MCLANE LANE	BILOXI	MS	39532
	108973	0911C-02-003.004	VALLOT CHERYL C	1809 BURTON AVE	GULFPORT	MS	39501
	108974	0911C-02-003.005	ZELENKA HALEY	1807 BURTON AVE	GULFPORT	MS	39507

RE: Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

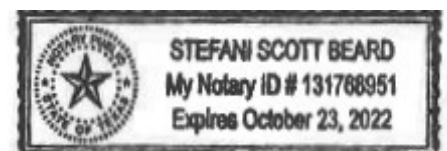
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB032:

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB032

Hearing Date: March 17, 2022

Current Zoning/Use: B-4/ Commercial Business

Legal: Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to place multiple wall signs on the rear of the building. Specifically, the applicant requests: 1) wall/facia signs for the rear of the building where the sign is permitted for the business' frontage; this sign will still be limited to the 1:3 ratio permitted for the rear wall.

- (a) The applicant implies that the front faces interior, obstructing view from Highway 49 and rear of building is where the traffic can see the business. This special condition is specific to the land, structure or building as several other businesses in the same building and area have wall signs located on the rear wall of their business.
- (b) The applicant was aware of the building's location, impediments, and ordinance regarding signs on the rear of buildings; therefore, the applicant created the hardships.
- (c) Ordinance change is necessary to accommodate for a wall sign on the rear wall of the business, regardless of the precedents set by the Zoning Board.
- (d) The applicant states it would be "discriminating" if they are not allowed to enjoy the rights every other tenant has enjoyed.
- (e) The customer will not receive any special privileges; again, there are several businesses in the area with signs located on the rear wall facing Highway 49.
- (f) This property is zoned B-4, a confectionary and wall signs are permissible.

EXECUTIVE SUMMARY

With this specific request, the hardship has been created by the applicant. Other businesses in the building have been granted variances for wall signs on the rear wall of the building they occupy. The request is similar to other variances issued.

Any approval should consider these conditions:

- 1. Wall/facia signs for the rear of the building where the sign is permitted for the business' frontage; this sign will still be limited to the 1:3 ratio permitted for the rear wall.
- 2. Signs shall meet the wind load as required by the International Building Code. Engineered plans may be required.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 03/07/2022.

Public Works: No conditions. Memo dated 03/07/2022.

Traffic and Safety: No conditions. Memo dated 02/28/2022.

Building Code Services: Conditions: [signs] shall meet the windload as required by the International Building Code. Engineered plans may be required. Memo dated 02/28/2022.

GIS: No conditions. Memo dated 01/03/2022.

Police Department: No conditions. Memo dated 03/02/2022.

Technical Report

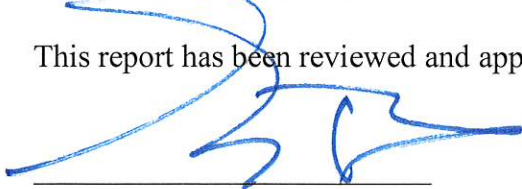
VARIANCE

Fire Department: No conditions. Memo dated 02/28/2022.

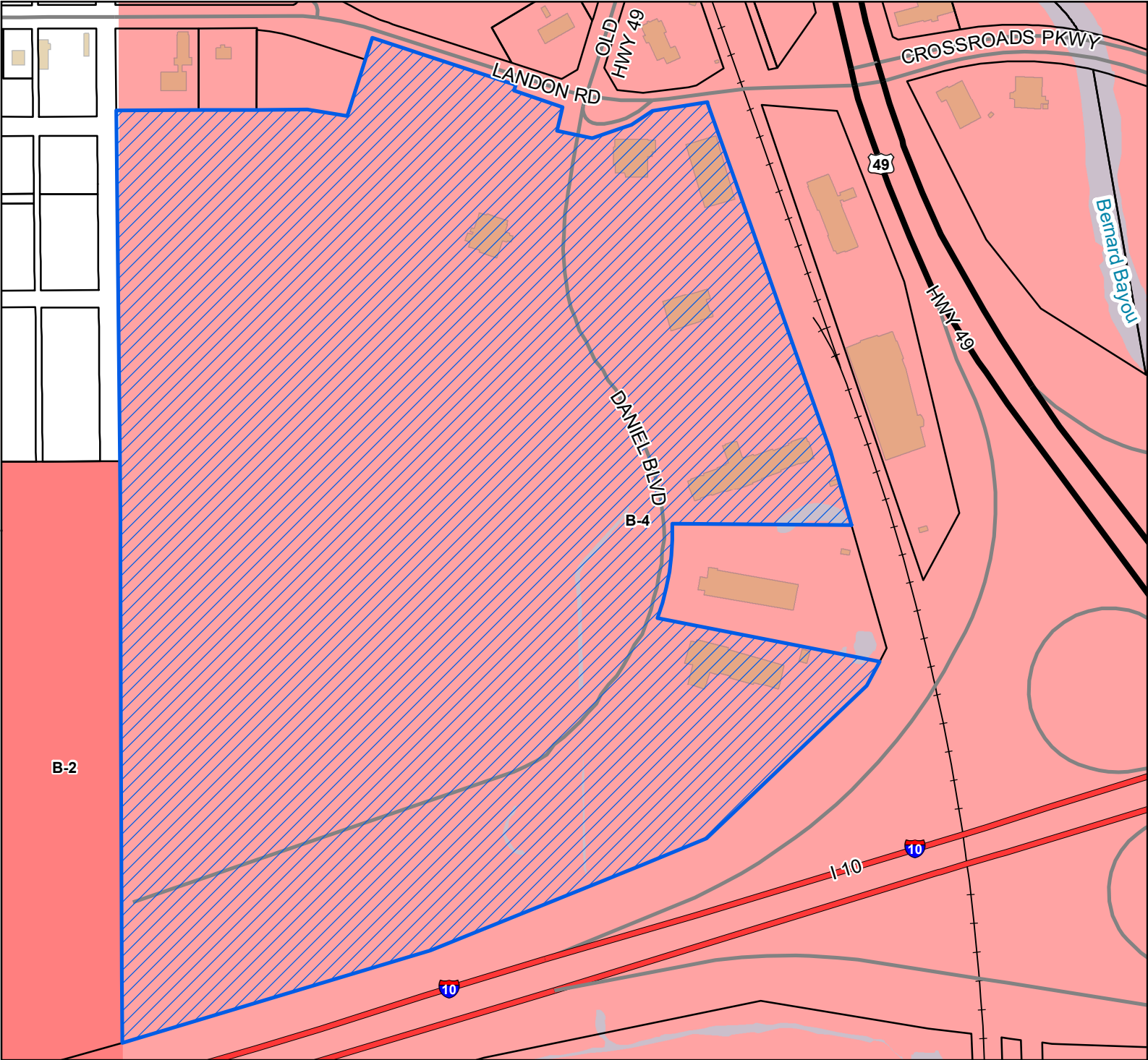
City Arborist: No conditions. Memo dated 03/01/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

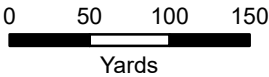
- Site
- Interstate Highway
- US or State Highway
- Street
- Railroad
- Parcels
- Buildings
- Water Features

Zoning

- B-2 - General Business District
- B-4 - Highway Business District

Site Information

0809D-02-003.000
Zoning: B-4 (Highway Business District)
Size: 84.2 Acres
Flood: X



1 inch = 360 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

\$75.00



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 22032B032Date Received: 1/19/22

Receipt #: _____

Received By: mwZoning: B-4Ward: 7 Flood: XSize: 84.2 AC

(If necessary, use separate sheet of paper)

TAX PARCEL #	0	8	0	9	D	-	0	2	-	0	0	2	•	0	0	0
						-			-				•			
						-			-				•			

Address of Property Involved: 15520 Daniel Blvd., Suite D, Gulfport, MS 39503

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: New strip center building on Daniel Blvd. by Texas Road House Restaurant across from Sam's Club**GENERAL DESCRIPTION OF REQUEST:**

Requesting permission to install (1) set of individual channel letters on the rear of the building (facing Hwy 49), just like every other tenant in that same building has been allowed to do.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

John Tampa - Ascent Hospitality Management Co., L.L.C.

Printed Name Of Owner

1305 Mall of Georgia Blvd., Suite 201

Mailing Address

Buford GA 30519

City State Zip code

(678) 541-2762 (678) 541-2762

Home Phone Work/Cell Phone

jtampa@ascent-hospitality.com

Email

Signature Of Owner

AGENT

All Signs, Inc - Michael G. Hage

Printed Name Of Agent

PO Box 6265

Mailing Address

Gulfport MS 39506-6265

City State Zip code

228-897-9100 228-897-9100

Home Phone Work/Cell Phone

MHage@AllSignsGulfport.com

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT) Anchar Retail LLC.
ADDRESS (STREET, CITY, STATE, ZIP CODE) 1305 Main St of 6A Blvd Buford GA 30519
PHONE # (H) 770-904-0765 (WK/CELL) 678-296-8316
TAX PARCEL NUMBER(S) OWNED 08098-02-002 000
SIGNATURE: [Signature]

NAME OF OWNER (PRINT) _____
ADDRESS (STREET, CITY, STATE, ZIP CODE) _____
PHONE # (H) _____ (WK/CELL) _____
TAX PARCEL NUMBER(S) OWNED _____
SIGN: _____

NAME OF OWNER (PRINT) _____
ADDRESS (STREET, CITY, STATE, ZIP CODE) _____
PHONE # (H) _____ (WK/CELL) _____
TAX PARCEL NUMBER(S) OWNED _____
SIGNATURE: _____

(Use additional forms as needed)

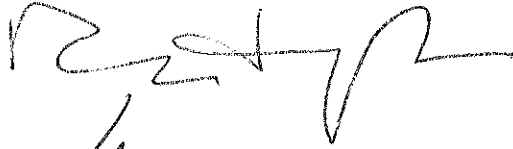
IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES PERSON/AGENT FOR YOU: _____

Anchor Retail L.L.C.
1305 Mall of Georgia Blvd., Suite 201
Buford, GA 30519
770-904-0765 phone • 770-904-6302 fax

1-10-2021

I, John Tampa (owner/ Anchor retail llc), give All Signs, Inc. the authority to be my agent for the purposes of filing for a sign variance with the City of Gulfport for the building located at property located 15520 Daniel blvd Gulfport MS 39503.

Signed:



Notary Seal



1. Demonstrate that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district. (i.e., What is special about your property that you need to request a variance?)

The rear elevation of this building faces Hwy 49 / I-10 and is the area where signage is needed in order for customers to find where to turn off of Hwy 49 to find this business. ALL OTHER BUSINESSES in this strip center building have been granted permission to install signage on the rear elevation.

2. Demonstrate that the special conditions and circumstances do not result from the actions of the applicant. (i.e., Show that you did not cause the need for the variance.)

We are the last business to fill up this strip center building and all other tenants have signage installed on the rear elevation facing Hwy 49 in addition to signage on the front of the building.

3. Demonstrate that an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution. (i.e., Explain what your hardship is and why the property cannot comply with the zoning ordinance. Further, explain why this hardship is not commonly found on other properties?)

A precedent has been set by the city in allowing every other tenant to display signage on the rear of this strip center building. It would be discrimination if we are not allowed to display signage on the rear elevation like neighboring tenants.

4. Demonstrate how the literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of the zoning ordinance. (i.e., Explain how the request meets the right of reasonable economic return and/or the right to reasonable development of your property which might generally be expected in your district.)

The request for signage on the rear elevation is in keeping with what the city has already allowed other tenants to do in this same building. If not allowed, it would be discriminating against us since others were granted permission for the same request.

5. Demonstrate that the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and hardship. (i.e., Will you receive any special benefit that others who follow the Zoning Ordinance cannot receive?)

By granting this variance, it would put all tenants in this building on a level playing field since the city has already granted permission for this same request to all other tenants.

6. State whether the use proposed is permissible by right, with planning approval or by special exception with respect to uses of land or structures.

Yes, this proposed use of signage would be a right since the city has allowed this for every other tenant in the same building.



COLOR SCHEDULE

- MATTHEWS BLACK (PNT1)
- VINYL - 3M OPAQUE BLACK (VNL1)
- MATTHEWS WHITE (PNT3)

DETAILS:

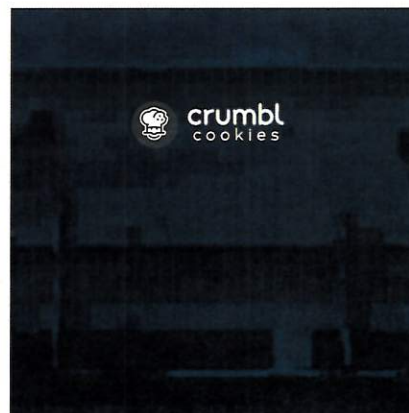
3" THICK FRONT LIT CHANNEL LETTER (PNT3) WITH VINYL OVERLAYS (VNL1)
2" THICK ALUMINUM BACKER (PNT1)
3/16" ACRYLIC FACE
WHITE TRIM CAPS
040 ALUMINUM BLACK RETURNS (063 ALUMINUM (PNT3)
WHITE LEADS
SIGN SIZE: 52.33 SQ. FT.

** ELECTRICAL REQUIREMENTS PROVIDED BY OTHERS :
EACH SIGN WILL REQUIRE IT'S OWN DEDICATED CIRCUIT
PROVIDED BY OTHERS WITHIN 6' OF THE SIGN AREA AND
ON A TIMER AND/OR PHOTOCELL DEPENDING ON LOCAL
SIGN REQUIREMENTS.

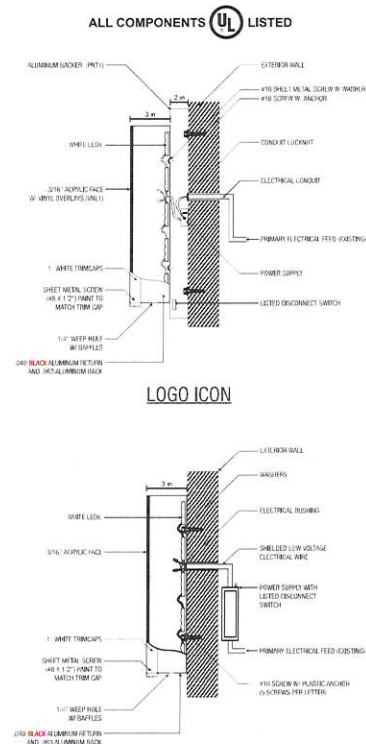
IF NO ELECTRICAL IS PRESENT AT TIME OF INSTALLATION,
A WHIP WILL BE LEFT FOR OTHERS TO HOOK UP.**



2.3 REAR ELEVATION
Scale : 3/16" = 1'



Night Simulation



LETTERS

** ALL BOLTS AND SCREWS ARE STAINLESS STEEL **

2.2 MOUNTING DETAIL
Scale : NTS



Channel Letter Color Reference



SIGN DESIGN LAB
Project Management | Signage
signdesignlab.com • sales@signdesignlab.com
(888) 735-7446

PROJECT INFORMATION COMPANY & LOCATION

Crumbl Cookies
15520 Daniel Blvd.
Gulfport, MS 39503

OVERVIEW

Exterior Signs

DATE 08/23/21 PROJECT # S0LP1361

DESIGNER JEN

REVISIONS

APPROVAL

- ☐ APPROVED WITH NO CHANGES
- ☐ APPROVED WITH CHANGES AS NOTED
- ☐ REVISE AS NOTED AND RESUBMIT

Signature _____ Date _____

DESIGN

A03

SHEET

02 of 03

All original ideas, designs and signage remain the property of Sign Design Lab until paid in full.
Colors and designs are representations of the final product. Final signage colors and build will be based on specifications noted on final proofs and/or invoice.



Covenant Affidavit

I, Michael G. Hage, being owner or agent of the property 15520 Danie/ Blvd.
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Michael G. Hage
Signature

19 JAN 2022
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 19th day of January, 20 22

Crystal Brown
Notary Public



8/2/2025
Commission Expiration

SCANNED



1st Judicial District
Instrument 2015 1072 D - J1
Filed/Recorded 2/25/2015 04:30 P
Total Fees \$ 28.00
15 Pages Recorded



1st Judicial District
Instrument 2015 630 D - J1
Filed/Recorded 2/2/2015 10:35 A
Total Fees \$ 22.00
14 Pages Recorded

Prepared by:
Harrison Co. School District
Jodi Trosclair
11072 Highway 49
Gulfport, MS 39503
(228) 539-7246

Return to:
Harrison Co. School District
Jodi Trosclair
11072 Highway 49
Gulfport, MS 39503
(228) 539-7246

**16th SECTION PUBLIC SCHOOL TRUST LANDS
COMMERCIAL LEASE AGREEMENT**

REVIEWED

STATE OF MISSISSIPPI
COUNTY OF HARRISON

THIS 16th SECTION PUBLIC SCHOOL TRUST LANDS COMMERCIAL LEASE AGREEMENT (hereinafter "Lease Agreement"), made and entered into this the _____ day of _____, 2014, by and between the **Harrison County School District Board of Education**, (hereinafter "LESSOR"), whose address is 11072 Highway 49, Gulfport, Mississippi, telephone number (228) 539-7246, and, **Anchor Development, LLC, a Mississippi Limited Liability Company**, (hereinafter "LESSEE"), whose address is c/o John Tampa 320 Coulter Cove, New Albany, Mississippi 38652.

WITNESSETH:

That, for the term and in consideration of the rentals hereinafter set forth, and the covenants, conditions, and by the authority and under the direction of the Harrison County School District Board of Education, as recorded in Minute Book _____, Page _____, LESSOR does hereby lease and rent unto LESSEE the following described land (hereinafter called "Leased Premises") to-wit:

Section 16 - Township 7 South- Range 11 West

MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE AS IF COPIED FULLY HEREIN.

1. **Term.** Subject to the other provisions herein contained, the term of this Lease Agreement shall be for forty (40) years, beginning the **August 5, 2014** and ending on the **4th day of August 2054** (called the "primary term"). For purposes of this Lease Agreement the Anniversary Date shall be **August 5th** of each year. It is expressly agreed and understood by all the parties hereto that part of the consideration given for the execution and delivery of this instrument is the option hereby granted to LESSEE to

APPROVED
BY HARRISON CO SCHOOL BOARD
DATE 10/20/14

renew this Lease Agreement for an additional or "secondary term" of twenty-five (25) years from August 4, 2054, under the same terms, conditions, and stipulations set forth herein, except the annual rental shall be based upon the fair market value of the land, excluding buildings and improvements not then owned by LESSOR, as determined by a qualified appraiser selected by LESSOR hereto who performs his appraisal not more than twelve months and not less than three months prior to the expiration of the primary term. LESSEE shall exercise said option to renew for the secondary term of twenty-five (25) years by notifying LESSOR in writing no less than twelve (12) months in advance of the expiration of the primary term and by tendering the determined annual rental to LESSOR at its above-stated address prior to the expiration of the primary term as may be required by statute. The cost of the new appraisal shall be borne by LESSEE. A new lease shall be executed to effectuate the secondary term.

2. **Annual Rent.** LESSEE covenants and agrees to pay as rent to LESSOR the sum of SIX HUNDRED TWENTY ONE THOUSAND SEVEN HUNDRED SIXTY TWO AND 98/100 DOLLARS (\$621,762.98) (BASE YEAR) per annum, on or before the anniversary of this lease each year. The rent shall be paid in quarterly installments, in which the first quarterly payment in the amount of \$155,440.74 shall be due at the time of approval by the Harrison County School District Board of Education. Quarterly payments are due on August 5th, November 5th, February 5th, and May 5th each year. In the event of termination or cancellation any rental payment made shall be non-refundable. Rents shall be re-adjusted periodically pursuant to the rent adjustment clause contained in Paragraph 3 of this lease. In the event LESSEE is delinquent in the payment of rent, LESSEE shall pay a late charge equal to fifteen percent (15%) of the amount of rent past due for more than 30 days and thereafter shall pay interest on any rent past due at an annual rate (the "Default Rate") equal to the maximum rate then allowed by law or, if there is no maximum rate, then a rate equal to five percent per annum above the discount rate, excluding any surcharge thereon, on ninety-day commercial paper in effect at the Federal Reserve Bank in the Federal Reserve district in which the LESSOR is located, calculated according to the actuarial method.

3. **Rent Adjustment.** LESSOR shall, at the end of each year of the lease term, adjust the annual rent by the increase in the Consumer Price Index-All Urban Consumers ("CPI"), and thereafter notify LESSEE of the annual rent for the ensuing lease year.

- (a) LESSOR shall calculate the amount of the rent adjusted by the CPI and notify LESSEE, and the rent for the ensuing lease year shall be fixed as adjusted by the CPI. Said rental amount shall be calculated by using the Percent Average of the previous year, which is noted on the CPI chart as "percent change average". However, in no event shall the adjusted annual rent for any one (1) year period of the lease term be less than the rental amount for the previous lease year. In addition to the CPI percent change average, the annual rent shall increase a minimum of two percent (2%) and a maximum of five percent (5%).
- (b) If for any reason the rent adjustment calculation is not completed or LESSOR has not notified LESSEE of the rent adjustment for the ensuing lease before the Anniversary Date, LESSOR and LESSEE agree that the interim annual rent pending completion of the calculation of the rent adjustment shall be equal to the annual rent in effect as of the close of the

(c) This annual adjustment shall satisfy the rent adjustment required "not less than once every ten (10) years" under Miss. Code Ann. §29-3-69 (1972) as amended. The method of rental adjustment utilized herein is for the purpose of facilitating stable operation of the commercial operation on the Premises.

4. Taxes. LESSEE covenants and agrees to pay any and all general and special taxes and assessments, including drainage taxes, if ever any there be, applicable to the above-described property and LESSEE'S interest therein; further, LESSEE covenants and agrees to pay any and all survey costs and recording fees in connection with this Lease Agreement or any other fees so determined by law. All payments for general and special taxes and assessments shall be made directly to the governmental authority responsible for collecting such taxes and assessments. During the final year of the lease term, LESSOR or the governmental authority responsible for collecting taxes and assessments may require payment of any such taxes or assessments, including drainage taxes, in advance or require that other security be given to assure that taxes will be paid when due. In the event it becomes necessary for the County Tax Collector or any other authority responsible for collecting general and special taxes or assessments to retain the services of attorneys to collect any taxes or assessments due from LESSEE under this lease, then LESSEE agrees to pay all costs and expenses of such actions or collections, including a reasonable attorneys' fee for the County Tax Collector or such other authority responsible for collecting said taxes or assessments.

505 1000 1000 1000 1000

that time. As to all other conditions, covenants, and obligations imposed on LESSEE herein, enforcement shall be by proceeding at law or in equity against any person violating or attempting to violate said conditions, covenants, and obligations to restrain violation and recover damages, if any, including reasonable expenses of litigation including but not limited to fees charged by attorneys, expert witnesses, surveyors and appraisers, which LESSEE expressly agrees to pay. Such enforcement by proceedings at law or in equity may be instituted at any time after sixty (60) days written notice. Enforcement proceedings shall include the right of the Tax Collector to recover any tax, assessment, fees and costs.

6. Remedies. In the event of any FORFEITURE, DEFAULT, OR CANCELLATION of this Lease Agreement or termination of the term therefore aforesaid, LESSEE shall quit, deliver up and surrender possession of the Leased Premises, and all LESSOR -owned structures and improvements thereon to the said LESSOR, and thereupon this Lease Agreement and all agreements and covenants on LESSOR'S behalf to be performed and kept, shall cease, terminate, and be utterly void, the same as if the Lease Agreement had not been made. At LESSOR'S option LESSEE shall be required to remove all LESSEE owned improvements. In addition thereto LESSOR shall be entitled to whatever remedies it may have at law or equity for the collection of any unpaid rental hereunder, or for any other sums, for damages or otherwise, that it may have sustained on account of LESSEE'S non-fulfillment or nonperformance of the terms and conditions of this Lease Agreement including costs for removing LESSEE owned improvements.

Immediately upon the termination of this Lease Agreement, whether by FORFEITURE, DEFAULT, or CANCELLATION LESSOR shall be entitled to take possession of the Leased Premises and all LESSOR -owned improvements thereon absolutely, notwithstanding custom, usage, or law to the contrary. Any removal of property from the Leased Premises shall be accomplished so as to leave the Leased Premises in a condition satisfactory to LESSOR. At LESSOR'S option LESSEE shall remove all of LESSEE'S property within thirty (30) days of LESSOR'S repossession. LESSEE shall be subject to the accrual of rent during the said thirty (30) day period.

7. Curing Default. Notwithstanding any DEFAULT provisions of this Lease Agreement, any present or future holder of a mortgage or deed of trust securing money loaned on these facilities shall have the right of a thirty (30) day notice of default within which to cure any DEFAULT which may be cured by the payment of money. In addition, for any other DEFAULT for which a forfeiture of said Lease Agreement may be invoked, such holder of such mortgage or deed of trust shall be entitled to a notice in writing of the claimed DEFAULT and shall have a reasonable time, which shall not be less than Sixty (60) days, either to require the correction of such DEFAULT or in lieu thereof to protect itself through the exercise of a power of sale and thereby acquire a leasehold in the Leased Premises and correct such DEFAULT. LESSEE hereby covenants and agrees to notify LESSOR of the existence of all such mortgages, deeds of trust, or other secured encumbrances, and that, in the absence of such notice, LESSOR has no obligation whatever to notify any such holder of said encumbrance.

8. **Assignment.** LESSEE shall have the full right and authority to lease, sell, assign, transfer, sublease and/or convey to others this Lease Agreement in whole and to encumber the same. However, any lease, assignment, transfer or conveyance shall be subject to the prior written consent of LESSOR which shall not be unreasonably withheld.

8a. LESSEE shall have the full right and authority to lease, sell, assign, transfer and/or convey to others this Lease Agreement in part at which time an appraisal must be conducted to determine the fair market rental value for each parcel and such rent payments shall be adjusted accordingly. Any appraisal, surveys, etc...shall be conducted at the expense of the Lessee payable at the time of request to divide the leased parcel.

9. **Regulatory Compliance.** LESSEE shall comply with all applicable laws, rules, and regulations concerning LESSEE'S use of the property and/or obligations under this Lease Agreement. This obligation shall include, but not be limited to, compliance with federal, state and local environmental regulations concerning the air, water and soil, endangered species, wetlands, and other laws, rules and regulations that may presently exist or hereafter be adopted. In the event of contamination of the air, water or soils arising out of any LESSEE use, LESSEE shall be responsible for all mandated remediation and monitoring with this obligation to survive termination of this Lease Agreement. Notwithstanding the requirements of this paragraph, LESSEE:

- (a) LESSEE shall not use the Leased Premises for any of the following purposes. Any activity considered to be a nuisance. Any activity that is unlawful or immoral. Any activity which at the discretion of the LESSOR and the Secretary of State is inappropriate upon Sixteenth Section Land.
- (b) Shall keep and maintain the Leased Premises in compliance with, and shall not cause or permit the Leased Premises to be in violation of, any environment laws or regulations nor any laws or regulations pertaining to the disposal of solid, liquid, or gaseous wastes, both hazardous, and non-hazardous.
- (c) Shall give prompt written notice to LESSOR and the Secretary of State of:
 - (1) Any proceeding or inquiry by any governmental authority with respect to the presence of any solid wastes or hazardous substance on the Leased Premises or the migration thereof from or to other property;
 - (2) All claims made or threatened by any governmental authority with respect to the presence of any solid wastes or hazardous substance on the Leased Premises or the migration thereof from or to other property;
 - (3) LESSEE'S discovery of any occurrence or condition that would cause the Leased Premises to be subject to any restrictions on the ownership, occupancy, transferability or use of the Leased Premises under any environmental or solid waste disposal law, regulation, ordinance or ruling.

10. **Environmental Accidents.** LESSEE shall immediately furnish written notice of all spills, leaks, accidents or similar matters on the premises to LESSOR and the Secretary of State at the addresses provided in this instrument. LESSEE shall also furnish LESSOR and the Secretary of State a copy of all filings, including but not limited to, concerning environmental issues, required bylaws, rules or regulations arising out of any spills, leaks, accidents, or other matters related to the use and occupation of the premises by LESSEE. Nothing in this paragraph shall place any duty of cleanup or remediation of property upon LESSOR, with those duties belonging exclusively to LESSEE.

11. **Breach of Lease Agreement.** If LESSEE breaches any of the provisions of this Lease Agreement and fails to cure the same after sixty (60) days written notice from the LESSOR, then LESSEE, in addition to any other damages for which it may be responsible, shall pay LESSOR, its reasonable costs and expenses in enforcing the Lease Agreement, including but not limited to fees charged by attorneys, expert witnesses, surveyors and appraisers.

12. **Notices.** All notices specified by this instrument shall be in writing and sent by registered or certified mail, postage prepaid to the following addresses or hand-delivered in person, delivered by facsimile or otherwise to the following persons. By written notice, either party may change the persons or addresses to who notice shall be sent.

To LESSOR:
ATTN: 16th Section Manager
Harrison County School District
11072 Highway 49
Gulfport, MS 39503
(228) 539-6500

To SECRETARY OF STATE:
Mississippi Secretary of State's Office
Public Lands Division
Attn: 16th Section Lands
Post Office Box 136
Jackson, Mississippi 39205-0136
(601)-359-1350

To LESSEE:
Anchor Development, LLC
A Mississippi Limited Liability Company
c/o John Tampa
320 Coulter Cove
New Albany, MS 38652

13. **Insurance.** LESSEE shall maintain contractual and comprehensive general liability insurance with a company acceptable to LESSOR and the Secretary of State with a minimum combined single limit of liability of one million dollars (\$1,000,000.00) (and the members of LESSEE shall collectively maintain a similar policy or self-insure for an excess limit of liability of one million dollars (\$1,000,000.00)) for personal injuries or death of persons or destruction of property arising out of its operation, use or occupancy of the Leased Premises. LESSEE shall furnish proof of insurance (or self-insurance for LESSEE'S members, if applicable) to LESSOR, shall keep this insurance (or self-insurance for LESSEE'S members, if applicable) in full force and effect, and shall furnish LESSOR notice if the coverage is placed with another insurance company (or if the self-insurance for LESSEE'S members is managed by another company, if applicable). The amount of this instrument shall be adjusted for inflation every ten years on each tenth anniversary of this instrument according to the procedures then set forth by the Office of the Secretary of State of Mississippi.

14. **Indemnification.** LESSEE shall protect, indemnify, defend save, and hold harmless LESSOR, the State of Mississippi and the Secretary of State, their officers, board members, employees and agents, from and against all claims, demands, liabilities, suits, injuries, and any and all losses or damages and cost of every kind and nature whatsoever ("loss"), including but not limited to all court costs and attorneys fees and all personal injury or death and/or damage to any person or entity including, but not limited to, LESSOR and its property or other loss arising out of any alleged noncompliance with laws or caused by LESSEE'S exercise of its rights under this Lease Agreement and/or resulting from the actions or omissions of LESSEE in connection with its presence on or any use of the Leased Premises by its officers, agents, subcontractors, employees or invitees. Provided, however, it is understood that the indemnity provided by LESSEE as described in this paragraph shall not extend to intentional or negligent acts of LESSOR, its officers, or agents. In the event the intentional or negligent acts of LESSOR, its officers or agents, are not the direct and sole proximate cause for one hundred percent (100%) of the loss or claim, LESSEE shall be responsible to fulfill its obligations under this paragraph for the percentage of liability not attributable to LESSOR, its officers or agents.

15. **Mortgage Transactions.** The preceding restrictions on assignments of this lease shall not apply to and no prior approval of LESSOR shall be required for (i) a mortgage of the leasehold estate (ii) a foreclosure or an assignment of the leasehold estate to the mortgagee in lieu of foreclosure or (iii) a transfer by a mortgagee who has acquired the leasehold estate and such transfer occurs within a reasonable period of time commensurate with liquidation of the asset. However, any person acquiring the leasehold estate by any of the above means shall be obligated, within 10 days thereafter, to provide LESSOR with a copy of the assignment. No mortgagee shall be deemed to have assumed and no mortgagee shall be personally obligated to perform any of LESSEE'S obligations under this lease which accrued prior to acquisition of the leasehold estate, provided that this limitation on personal liability shall not diminish the rights and remedies otherwise available to LESSOR in the event of a default nor the right of a mortgagee to cure defaults as herein provided. A mortgagee, having acquired the leasehold estate through

foreclosure or assignment in lieu of foreclosure, shall be liable for performance of all obligations of LESSEE which accrue during the period the mortgagee has ownership of the leasehold estate, and any rent payment which becomes due during such period shall be paid in full and not prorated. Nothing contained in this lease or in any mortgage shall release LESSEE from the full and faithful performance of LESSEE'S obligations under this lease or from any liability for non-performance or constitute a waiver of any right of LESSOR against LESSEE. The term "mortgage" as used in this paragraph means any mortgage, deed of trust, collateral assignment or other transfer or pledge of this lease as security for an indebtedness of LESSEE; and the term "mortgagee" means the holder of the indebtedness to whom or for whose benefit this lease has been mortgaged or pledged as security.

16. **Waste.** LESSEE shall be responsible for any damage that may be caused to LESSOR'S property by the activities of LESSEE, its employees, agents, contractors, and invitees under this Lease Agreement, and, shall exercise reasonable care in the protection of all improvements, timber and other property of LESSOR, which may be located on the Leased Premises or in the vicinity thereof, against fire or damage from any and all other causes. LESSEE, its employees, agents, contractors, and invitees shall exercise reasonable care in conducting the activities described above, and shall not, in any event, commit waste or allow waste to be committed.

17. **Quiet Possession.** LESSEE shall have quiet and peaceful possession of the Leased Premises as long as compliance is made with the terms of this agreement.

18. **Bankruptcy or Judgments.** LESSEE hereby covenants and agrees that if an execution or process is levied upon the Leased Premises or if a petition of bankruptcy be filed by or against LESSEE in any court of competent jurisdiction, LESSOR shall have the right at its option, to cancel this Lease Agreement.

LESSEE further covenants and agrees that this Lease Agreement and the interest of LESSEE hereunder shall not, without the written consent of LESSOR first obtained, be subject to garnishment or sale under execution or otherwise in any suit or proceeding which may be brought against said LESSEE.

19. **Condemnation.** If the whole of the Leased Premises, or such portion thereof as will make the Leased Premises unsuitable for LESSEE'S normal business activity, should be condemned for any public use or conveyed under threat of condemnation, then this Lease Agreement shall terminate on the date possession is acquired by the condemning authority, and rent shall be apportioned as of that date. All compensation awarded or paid upon such total or partial taking of the Leased Premises shall belong to LESSOR without participation by LESSEE except to the extent the award fairly represents the value of improvements which are the property of LESSEE. It is provided, however, that nothing herein shall preclude LESSEE from prosecuting any claim directly against the condemning authority for loss of business, cost of relocation or any other damages to which a tenant may be entitled provided that no such claim shall diminish or otherwise adversely affect the amount of LESSOR'S award.

20. Classification/Use.

The lands herein have been classified as Commercial in accordance with §29-3-31 et seq Miss. Code Ann. (1972) as amended. LESSOR warrants that the Leased Premises shall be permitted to be used as a **COMMERCIAL LEASE** for the duration of the term. This warranty does not apply to any change in use which may be required by governmental authority or other means beyond the control of LESSOR.

LESSEE shall not use the Leased Premises for any of the following purposes: Any activity considered to be a nuisance. Any activity that is unlawful or immoral; or any activity which at the discretion of the LESSOR and the Secretary of State is inappropriate upon Sixteenth Section Land.

21. Successors. To the extent assignment of this Lease Agreement is allowed by the above provisions this Lease Agreement shall be binding upon LESSEE'S successors and assigns.

22. General Duties of LESSEE. LESSEE agrees:

- (a) To comply with all laws and ordinances applicable to the use of the Leased Premises including, without limitation, laws and regulations pertaining to accessibility by handicapped persons.
- (b) To allow inspection of the Leased Premises during normal business hours by any persons responsible for management or supervision of the property or this lease acting in their official capacity.
- (c) To perform all obligations herein expressed in a prompt fashion, without notice or demand.
- (d) To surrender the Leased Premises upon termination or expiration of this Lease Agreement, with improvements to be in the condition as herein specified.
- (e) To provide LESSOR, at each Anniversary Date, written certification by LESSEE or an officer of LESSEE of compliance with the provisions of this lease.
- (f) To maintain the Leased Premises at all times in a clean, neat and orderly manner, free of waste materials, and to keep grass and other vegetation clipped.

23. Reservations.

LESSOR reserves title to all oil or gas, coal, lignite or other minerals in, on, or under said lease property, together with the right to enter and remove the same, but not in a manner which interferes with LESSEE'S operations on the Leased Premises.

Lessor reserves title to all timber. Lessee desires to develop the surface for commercial usage in a manner and for purposes inconsistent with timber and logging operations.

First Phase: Lessee will mark all timber to be removed as required by the plans and specifications of the project. These plans will be presented to Lessor and the Mississippi Forestry Commission to develop sale specification and bid documents.

Lessee will have the right to bid on the timber that is going to be removed.

After Project Development: If Lessee determines it necessary to remove timber, the Lessee shall mark and be offered the right and first option to purchase the timber at the value placed on the timber by the Mississippi Forestry Commission. In the event that Lessee refuses the offer to purchase the timber, then egress and ingress shall be provided by Lessee to harvest timber. If damages occur to property while a bid contractor is harvesting the timber then that contracted party shall pay all damages to Lessee.

24. **Rights-of-Way.** LESSOR reserves the right to grant or sell rights-of-way across the Leased Premises for roads, highways, railroads, fiber optic cables or any public utility line, provided that any such roads, highways, railroads, fiber optic cables or public utility lines be constructed in a manner so as not to interfere with LESSEE'S operations.

25. **Recording.** LESSOR will deliver this Lease Agreement to the Chancery Clerk of Harrison County for recording, and LESSEE has herewith delivered to LESSOR a check in the sum of Twelve Dollars and no/100 (\$12.00) payable to such Chancery Clerk as recording fees for the first fifteen pages of the document and an addition one dollar (\$1.00) per page for additional pages.

26. **Immunity.** No provision of this Lease Agreement, whether requiring LESSEE to maintain insurance or to indemnify LESSOR or otherwise, shall be construed as a waiver by LESSOR of any provision of law related to governmental immunity.

27. **Interpretation.** The parties to this Lease Agreement acknowledge that they have freely entered into this Lease Agreement and any ambiguities shall not be construed against a single party.

28. **Governing Law.** This Lease Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Mississippi. Jurisdiction and venue for any actions arising from this Lease Agreement and any amendments hereto shall rest exclusively in the Chancery Court of Harrison County, Mississippi.

29. **Secretary of State.** By virtue of the signature below, the Secretary of State of the State of Mississippi has approved this Lease Agreement in accordance with the Secretary's authority for general supervision of 16th Section Public School Trust Land. Approval of this Lease Agreement by the Secretary of State indicates that the Harrison County School District Board of Education has exercised the care and skill of an ordinary prudent person to protect the beneficiaries of the 16th Section Public School Trust Land.

30. **Supervisory Right.** Secretary of State, as supervisory trustee, shall have the right to institute any action to enforce the terms of this Lease Agreement in the event LESSOR fails to do so in a timely manner. In the event the Secretary institutes legal action to enforce the terms of this Lease Agreement, he shall have all rights as are conferred to LESSOR.

29. **Additional Provisions.** This Lease Agreement contains an Exhibit "B." Any additional or special provisions to this Lease Agreement are set forth in Exhibit "B" and incorporated by reference as if copied fully herein. If there are no additional or special provisions then Exhibit "B" shall state "NONE."

30. **Entire Agreement.** This Lease Agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this Lease Agreement shall not be binding upon either party except to the extent incorporated in this Lease Agreement. This Lease Agreement contains Exhibits "A" and "B." If Exhibits "A" and "B" are not attached to this Lease Agreement, then this Lease Agreement shall be null and void.

IN WITNESS WHEREOF, this Lease Agreement is executed by LESSOR and pursuant to order entered upon its minutes, is executed by LESSEE this the 20TH day of OCT. 2014.

Signed, Sealed and Delivered in the Presence of:

LESSOR:

Harrison County School District

BY: Henry Arledge

Henry Arledge, Superintendent of Education

BY: David Ladner

David Ladner, School Board President

LESSEE: Anchor Development, LLC

A Mississippi Liability Company

By: John Tampa

John Tampa, Manager

Harrison County Board of Supervisors

BY: Comm Parker

President, Board of Supervisors

APPROVED

SECRETARY OF STATE

C. Delbert Hosemann, Jr.

C. Delbert Hosemann, Jr.
Secretary of State

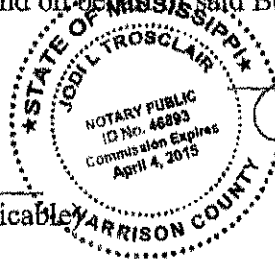
**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

Personally came and appeared before me, the undersigned authority in and for said county and state, on this the 20 day of October, 2014, within my jurisdiction, the within named, Henry Arledge, Harrison County School District, Superintendent of Education and David Ladner, School Board President, of the Harrison County School District Board of Education, who acknowledged that in said representative capacity as Superintendent of Schools and President of the Board of Education of Harrison County School District, Mississippi, they executed the above and foregoing instrument for and on behalf of said Board of Education, after first having been duly authorized so to do.

My Commission Expires:

4/4/2015

(Affix official seal, if applicable)



Jodi L. Inosclaw
(Notary Public)

**STATE OF MISSISSIPPI
COUNTY OF HARRISON**

Personally came and appeared before me the undersigned authority in and for the said county and state, on this the 12 day of January, 2015, within my jurisdiction, the within named Paul Rockett, who acknowledged to me that S he is the President of the Board of Supervisors of Harrison County, Mississippi, and that in said representative capacity S he executed the above and foregoing instrument for and on behalf of said Board of Supervisors, after first having been duly authorized so to do.

My Commission Expires:

6-24-17

(Affix official seal, if applicable)



Angela Thrash
(Notary Public)

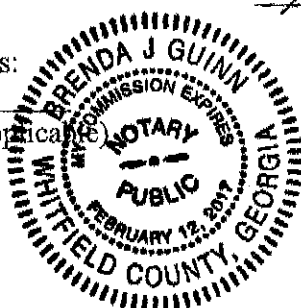
**STATE OF GEORGIA
COUNTY OF WHITFIELD**

Personally came and appeared before me the undersigned authority in and for said county and state, on this the 28 day of OCTOBER, 2014, within my jurisdiction, the within named John Tampa who acknowledged to me that he was the Manager of Anchor Development, LLC, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

My Commission Expires:

02-12-17

(Affix official seal, if applicable)



Brenda J. Guinn
(Notary Public)

LESSOR'S ADDRESS

Harrison County School District
11072 Highway 49
Gulfport, MS 39503
(228)-539-6500

LESSEE'S ADDRESS

Anchor Development, LLC
A Mississippi Limited Liability Company
c/o John Tampa
320 Coulter Cove
New Albany, MS 38652

INSTRUMENT PREPARED BY:

Harrison County School District
11072 Highway 49
Gulfport, MS 39503
(228)-539-6500

INDEXING INSTRUCTIONS:

S 1/2 of the NW 1/4, also located in the N 1/2 of the SW 1/4, also located in the SW 1/4 of the
SW 1/4: Section 16, Township 7 South, Range 11 West

EXHIBIT "A"
DESCRIPTION OF PROPERTY
LEGAL DESCRIPTION OVERALL PARCEL

A parcel of land located in the S 1/2 of the NW 1/4, also located in the N 1/2 of the SW 1/4, also located in the SW 1/4 of the SW 1/4: Section 16, Township 7 South, Range 11 West, City of Gulfport, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

For the Point of Beginning, Commence at a concrete monument located at the southwest corner of the SW 1/4 of the NW 1/4 of said Section 16, said concrete monument also being the northwest corner of the NW 1/4 of the SW 1/4 of said Section 16: thence N 00 degrees 16 minutes 01 seconds W 930.60 feet along the west line of the SW 1/4 of the NW 1/4 of said Section 16; thence N 89 Degrees 39 minutes, 53 seconds E 214.78 feet; thence S 00 degrees 02 minutes 32 seconds W 1.00 feet; thence N 89 degrees 46 minutes 32 seconds E 287.45 feet; thence S 76 degrees 34 minutes 28 seconds E 102.48 feet; thence N 17 Degrees 18 Minutes 32 seconds E 210.00 feet to the southerly margin of Landon Road; thence easterly along said southerly margin of Landon Road the following seven courses, S72 degrees 33 minutes 18 seconds E 145.03 feet, S 72 degrees 00 minutes 24 seconds E 251.18 feet, S72 degrees 06 minutes 32 seconds E 131.79 feet, S76 degrees 38 minutes 09 seconds E 59.19 feet, S 82 degrees 51 minutes 07 seconds E 85.00 feet, N 88 degrees 19 minutes, 20 seconds E 114.08 feet, N 82 degrees 25 minutes 57 seconds E 110.00 feet to the westerly right-of-way of the Kansas City Southern Railway Company (former Mid-South Rail Corporation, also formerly Illinois Central Gulf Railroad, Also formerly Gulf & Ship Island Railroad); thence southerly along said westerly right-of-way of the Kansas City Southern Railway Company the following tow courses, S 19 degrees 29 minutes 43 seconds E 987.25 feet, S 16 degrees 43 minutes 50 seconds E 493.95 feet to a concrete monument located on the northwest right-of-way of Interstate 10; thence southwesterly along said northwest right-of-way of Interstate 10 the following three courses, S 28 degrees 03 minutes 44 seconds W 128.66 feet, S 46 degrees 19 minutes 59 seconds W 559.28 feet, S 67 degrees 23 minutes 47 seconds W 732.73 feet; thence southwesterly 889.43 feet along a non-tangent curve of the northerly right-of-way of Interstate 10, said curve being concave to the north, having a central angle of 00 degrees 45 minutes 31 seconds with a radius of 87,170.22 feet, also having a chord bearing and distance of S 73 degrees 12 minutes 58 seconds W 889.42 feet to a point located on the west line of the SW 1/4 of the SW 1/4 of said Section 16; thence N 00 degrees 17 minutes 41 seconds W 185.56 feet along said west line of the SW 1/4 of the SW 1/4 of the northwest corner of said SW 1/4 of the SW 1/4 of said Section 16, said corner also being the southwest corner of the NW 1/4 of the SW 1/4 of said Section 16; thence 00 degrees 17 minutes 41 seconds W 1320.41 feet along the west line of said NW 1/4 of the SW 1/4 to the said Point of Beginning. Tract contains +/- 88.615 acres.

END OF "EXHIBIT A"

EXHIBIT "B"

NONE

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End of Lease document page 15 of 15.



NOTES:

Engraved Plastic Nametag

1/18/2022

73347

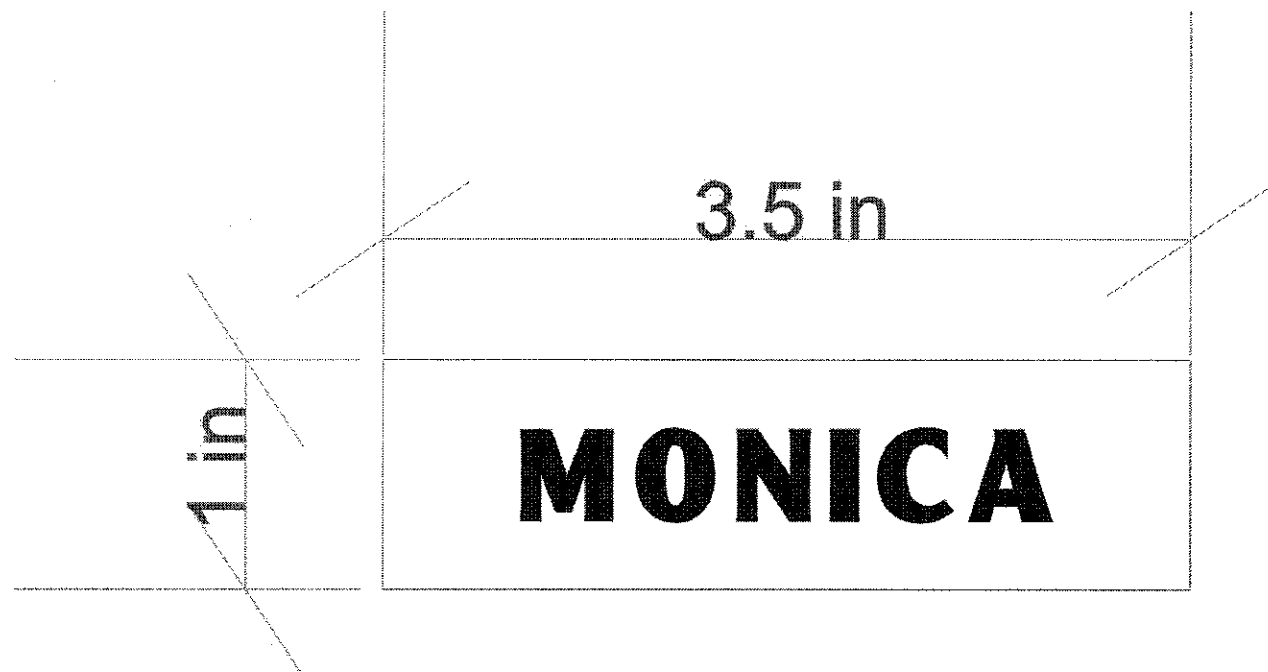
Dona Bianca

Elder Flores

DESIGNER: *Bree*

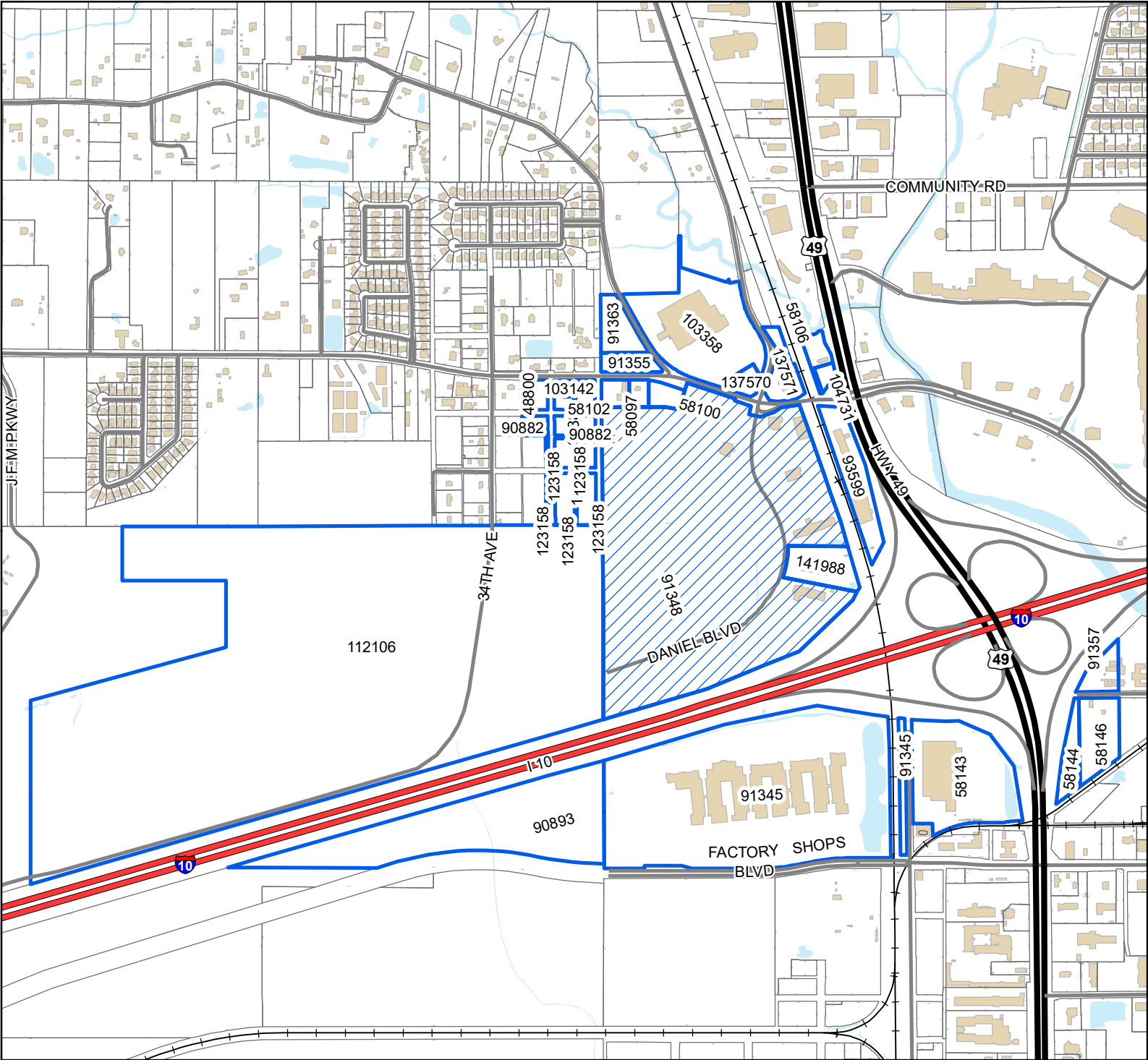
558 Courthouse Road
Gulfport, MS 39507
P: (228) 897-9100
F: (228) 897-9199

cguidry@allsignsgulfport.com
www.allsignsgulfport.com



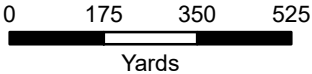
x1 laser engraved name tag
white/black rowmark
w/ pin back

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Legend

- Site
- Adjacent Properties
- Interstate Highway
- US or State Highway
- Street
- Railroad
- Buildings
- Water Features



1 inch = 1,075 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	91348	0809D-02-002.000	JOHN TAMPA (OWNER)	1305 MALL OF GEORGIA BLVD STE 201	BUFORD	GA	30519
N	91348	0809D-02-002.000	ANCHOR DEVELOPMENT LLC -LESSEE-	1305 MALL OF GEORGIA BLVD STE 201 ATTN: JOHN TAMPA	BUFORD	GA	30519
N	141988	0809D-02-002.001	ANCHOR DEVELOPMENT LLC -LESSEE-	1305 MALL OF GEORGIA BLVD STE 201	BUFORD	GA	30519
	91348	0809D-02-002.001	ALL SIGNS, INC	PO BOX 6265	GULFPORT	MS	39506
N			Adjacent Property Owners				
	58097	0809D-02-008.000	COMMUNITY BAPTIST CHURCH -LESSEE-	9332 OLD LORRAINE RD	GULFPORT	MS	39503
N	58102	0809D-02-009.000	COMMUNITY BAPTIST CHURCH -LESSEE-	9332 OLD LORRAINE RD	GULFPORT	MS	39503
	48800	0709A-02-003.000	DOYLE GARY P & DANIEL S	601 NURSERY AVE	METAIRIE	LA	70005
N	90882	0709A-02-005.000	DOYLE GARY P & DANIEL S	601 NURSERY AVE	METAIRIE	LA	70005
	112106	0709H-01-004.000	GREATER GULFPORT PROPERTIES LLC	P O BOX 1176	GULFPORT	MS	39502
	123158	0709A-02-007.002	GREATER GULFPORT PROPERTIES LLC	P O DRAWER 460	GULFPORT	MS	39502
	91345	0809E-02-004.000	GULFPORT FACTORY SHOPS LTD P-LESSEE	SIMON PROPERTIES GROUP PO BOX 6120	INDIANAPOLIS	IN	46206
	58100	0809D-02-007.000	HARRISON CO SCHOOL BOARD	15479 LANDON RD			0
	91357	0809F-03-003.000	HARRISON COUNTY -LESSEE	15120 COUNTY BARN RD			0
	58143	0809E-02-001.000	HOME DEPOT USA INC -LESSEE-	C/O P.O.BOX 105842 ACCT OFFICE	ATLANTA	GA	30348
	91363	0809D-03-009.000	LLG ENTERPRISES LLC -LESSEE-	C/O JIM LOWRY 1620 23RD AVE	GULFPORT	MS	39501
N	91355	0809D-03-011.000	LLG ENTERPRISES LLC -LESSEE-	C/O JIM LOWRY 1620 23RD AVE	GULFPORT	MS	39501
	48805	0709A-02-001.000	PETERMAN REGINALD A -TRUSTEE-	12259 PRUDIE ST	GULFPORT	MS	39503
	103142	0709A-02-002.001	RAYE BRADLEY S -ESTATE-	2059 MAUVILLA CV	BILOXI	MS	39531
N	90880	0709A-02-002.000	RAYE BRADLEY S -ESTATE-	2059 MAUVILLA CV	BILOXI	MS	39531
	103358	0809D-03-012.002	SAM'S EAST INC -LESSEE-	PO BOX 8050	BENTONVILLE	AR	72712
N	137570	0809D-03-012.003	SAM'S EAST INC -LESSEE-	P O BOX 8050	BENTONVILLE	AR	72716
	137571	0809D-03-012.004	SAM'S EAST INC -LESSEE-	2304 19TH ST SUITE 203	GULFPORT	MS	39501
	58144	0809F-03-004.000	SAVARESE JEFF & DEBRA -LESSEE-	723 BRIARWOOD DR	LONG BEACH	MS	39560
N	58146	0809F-03-006.000	SAVARESE JEFF & DEBRA -LESSEE-	723 BRIARWOOD DR	LONG BEACH	MS	39560
	93599	0809D-02-010.000	SRMG -LESSEE-	P O BOX 3344	RIDGELAND	MS	39158
	90893	0709H-02-001.000	TURKEY CREEK LIMITED PARTNERSHIP	P O BOX 1370	GRETNA	LA	70054
	104731	0809D-03-002.001	VICK TESTAMENTARY TRUST -LESSEE-	2060 BEACH BLVD #507	BILOXI	MS	39531
N	58106	0809D-03-002.000	VICK TESTAMENTARY TRUST -LESSEE-	2060 BEACH BLVD #507	BILOXI	MS	39531

RE: Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

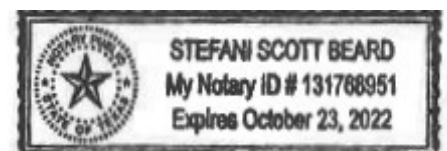
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB035:

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB035

Hearing Date: March 17, 2022

Current Zoning/Use: T4+ / Multi-family dwelling

Legal: Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to construct a balcony. Specifically, the applicant requests: 1) a 4-foot variance to allow for a 2-foot setback where 6 feet is required.

- (a) The applicant makes no comments regarding the special conditions of the dwelling or the land in need for this addition. Further, the applicant does state that a variance was granted for the balcony built on the East side of the subject property (**1702ZB017**) As the property is larger in size compared to the other lots in the neighborhood, and is located on a second frontage that does allow a smaller setback, there are no unique conditions to the land.
- (b) In the application, the applicant does not state whether they were the cause of the special conditions or circumstances; the applicant was aware of the property dimensions upon purchase. The special conditions and circumstances have been caused by the applicant as a new balcony is not required.
- (c) This type of variance is not needed with an ordinance modification. The unnecessary hardship is not created by the physical character of the land; due to the second frontage setback (6-foot) being the same in distance as side yard setback requirements.
- (d) No other property in the neighborhood has a balcony encroachment on each side of their dwelling. The subject parcel would set precedence for the rest of the area. The applicant comments that this balcony will enhance the property and the Beach View Community, this as a whole does not deprive the applicant of rights.
- (e) The applicant comments, "This property request faces the alley and all of the adjacent properties are at or near property line." As proposed, this request would be a special privilege to the applicant and the neighborhood and will potentially encourage additional applications.
- (f) This property is zoned T4+, an existing multi-family dwelling is permitted in this area.

EXECUTIVE SUMMARY

The applicant has not satisfied the ordinance requirements by meeting the six hardship conditions set by the City of Gulfport, in order to grant variances. Further, no multi-family or single-family dwelling in the neighborhood has an encroachment on multiple sides or second balcony/carport added to their dwelling; this request should be denied.

Any approval should consider these conditions:

- 1. A variance grants a 4-foot variance to allow for a 2-foot setback where 6 feet is required.
- 2. Plans need to show how vehicles can make turn into carport from alley.
- 3. Contractor will be required to submit Professional Engineered plans for the addition.

DEPARTMENTAL CONDITIONS

Engineering: Need to show how vehicles can make turn into carport from alley;
Need engineered plans. Memo Dated 03/07/2022.

Public Works: Need engineered plans. Memo dated 03/07/2022.

Traffic and Safety: No conditions. Memo dated 02/28/2022.

Technical Report

VARIANCE

Building Code Services: Contractor will be required to submit Professional Engineered plans for the addition. Memo dated 02/28/2022.

GIS: No comments as of 03/08/2022.

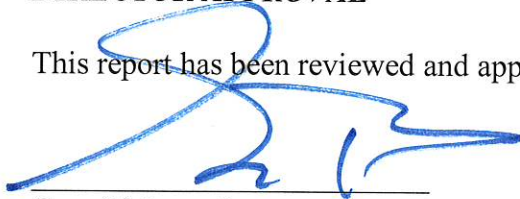
Police Department: No conditions. Memo dated 03/02/2022.

Fire Department: No conditions. Memo dated 02/28/2022.

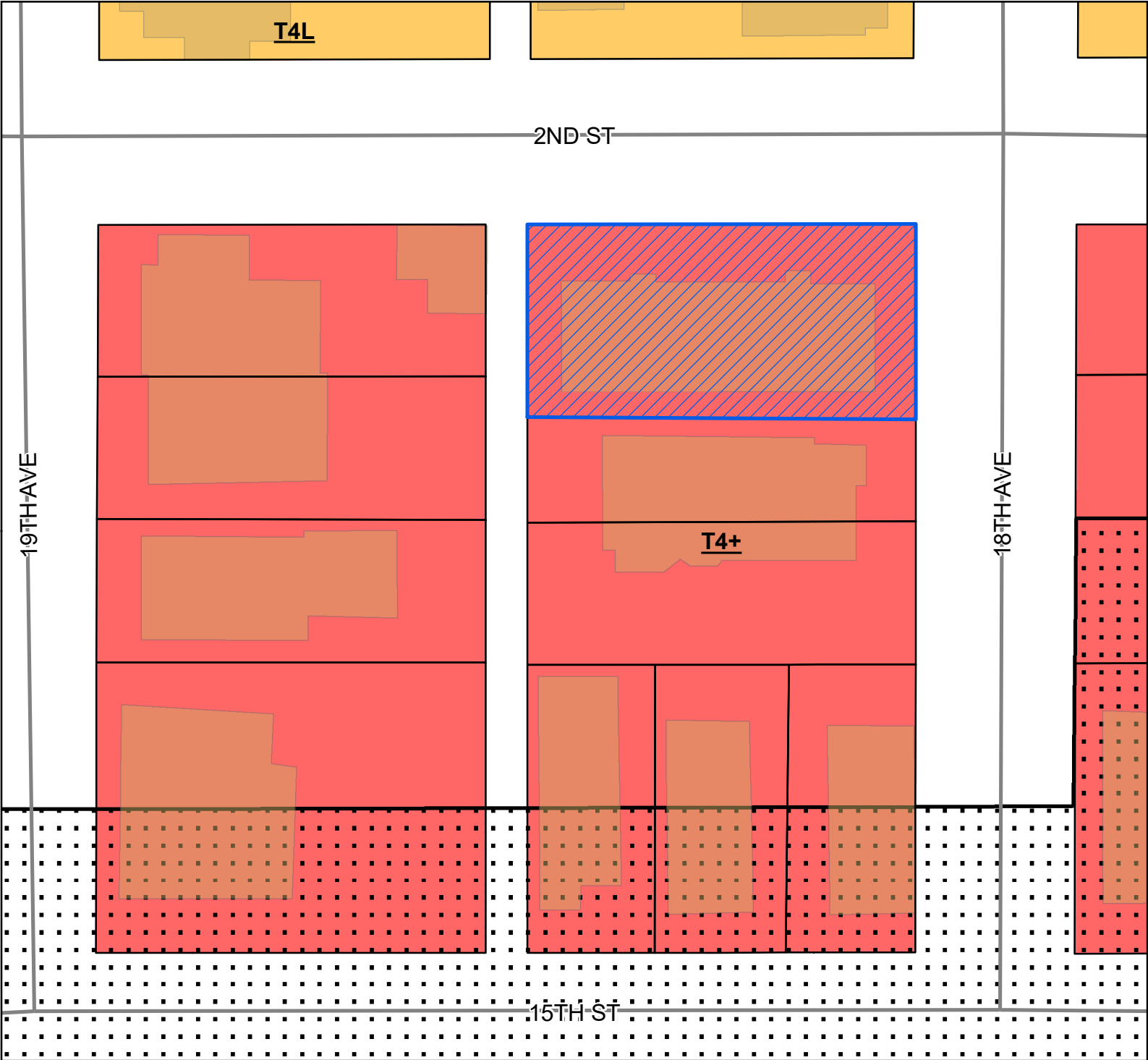
City Arborist: No conditions. Memo dated 03/01/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department

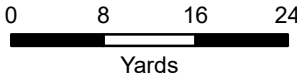


Legend

- Site
- Street
- Parcels
- Buildings
- Smart Code**
- T4+
- T4L

Site Information

0811G-06-010.000
Zoning: T4+ (General Urban Zone "Plus")
Size: 9,768 square feet
Flood: X



1 inch = 50 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 22037B035Date Received: 1/28/22

Receipt #: _____

Received By: D2Zoning: T4+Ward: 2 Flood: XSize: 9,768 Sq. ft.

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	B	1	1	G

 -

0	6

 -

0	1	0

 •

0	0	0

Address of Property Involved: 1801 2ND STREET GULFPORT, MS 39501

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: _____

GENERAL DESCRIPTION OF REQUEST:

WE WANT TO ADD A BALCONY TO THE WEST SIDE OF BUILDING 34'X8'. WE ADDED A 34'X15' BALCONY IN 2018. PICTURES ATTACHED. ASKING FOR A 4' VARIANCE TO ALLOW FOR A 2' SLT BYE WHERE 6' IS REQUIRED.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Printed Name Of Owner

HENRY JOHN MARCEL

Mailing Address

GULFPORT MS 39501

City

State

Zip code

228-324-7918

Home Phone

Work/Cell Phone

MSCHNARO @ AOL.COM

Email

Signature Of Owner

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



1822 15TH ST 5
1822 15TH ST 15
1822 15TH ST 14
1822 15TH ST 13

0811G-06-014.000

0811G-06-016.000

0811G-06-017.000

0811G-06-018.000

0811G-06-019.000

0811G-06-020.000

1812 15TH ST
1808 15TH ST
1802 15TH ST

0811G-06-012.000
0811G-06-013.000
0811G-06-013.001

1505 18TH AVE

0811G-06-011.001

1511 18TH AVE

0811G-06-011.000

1801 2ND ST 5
1801 2ND ST 4
1801 2ND ST 3
1801 2ND ST 2
1801 2ND ST 1

0811G-06-010.000

0811G-06-009.000

0811G-06-008.000

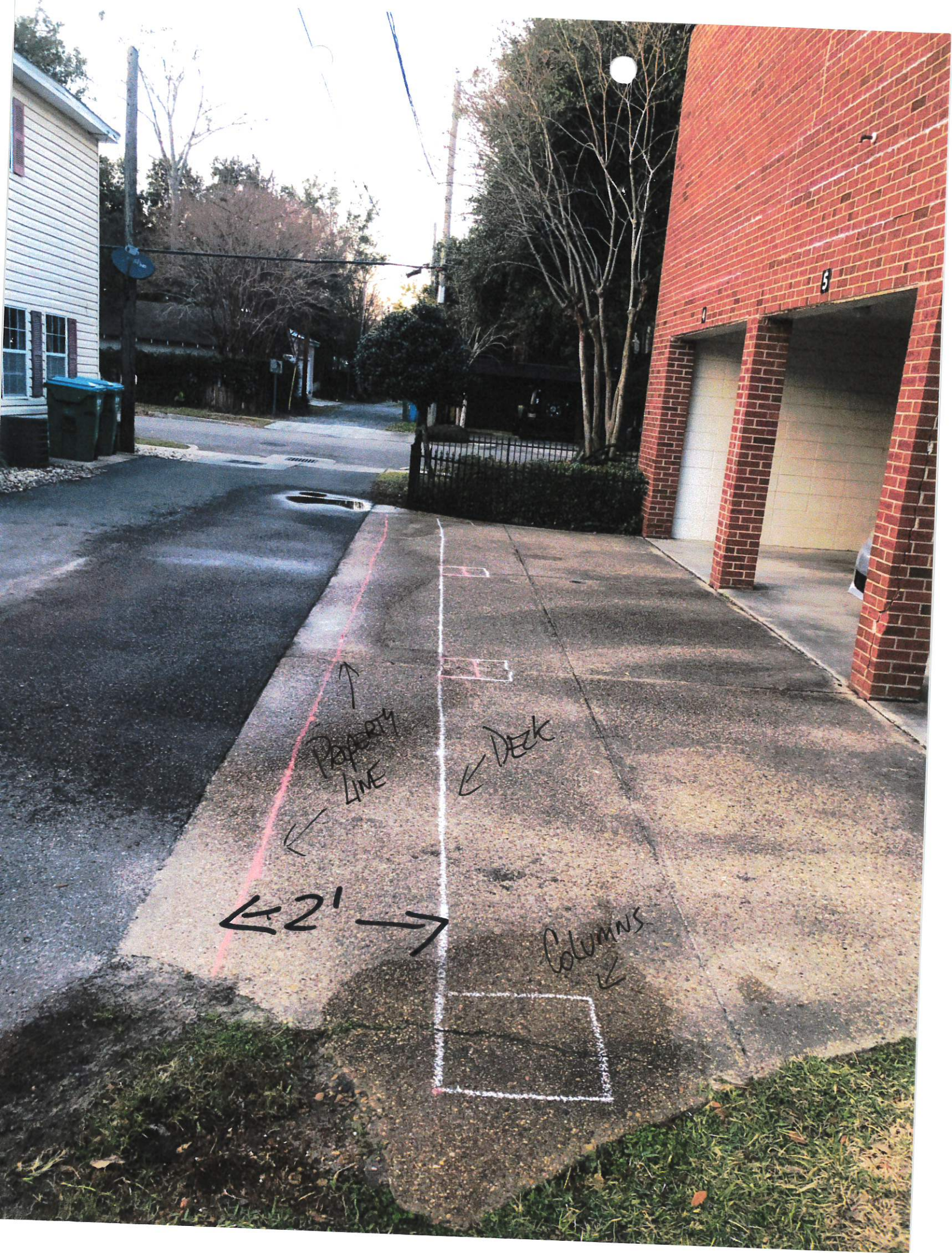
0811G-03-03-03

0811G-03-03-03

0811G-03-03-03

0811G-03-03-03

0811G-03-03-03



Proposed WEST SIDE ADDITION







EAST
SIDE



1st Judicial District
Instrument 2011 3615 D - J1
Filed/Recorded 5/27/2011 02:55 P
Total Fees \$ 14.00
4 Pages Recorded

Prepared by:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
MS Bar # 1866

Return to:
Andrew Marion, PLLC
Attorney-at-Law
1919 23rd Ave.
P.O. Box 863
Gulfport, MS 39502
(228)-865-9047
File # 11-083

Grantor Zip
38570

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, **WE**

THOMAS H. COOPER AND KATHLEEN M. COOPER
P.O. BOX 3671
MILTON, FLORIDA
(850)-572-5195

do hereby sell, convey and warrant unto

MARCEL PROPERTIES, LLC, a Mississippi limited liability Company
1808 2ND STREET
GULFPORT, MS 39501
(228)-324-7918

that certain tract, piece or parcel of land situated and being located in **Harrison** County, State of Mississippi, more particularly described as follows, to-wit:

(See Exhibit A attached, Page 3)

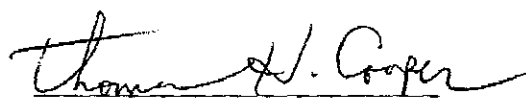
INDEXING INSTRUCTIONS: EXEMPT

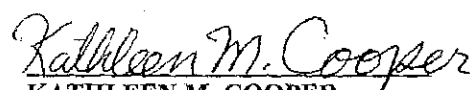
THIS CONVEYANCE is subject to any prior reservation or conveyance of oil, gas or other mineral rights and subject to all easement restrictions, reservations and covenants of record.

2

IT IS AGREED and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis. When said taxes are actually determined, if the proration as of the date is incorrect, then the Grantor(s) agrees to pay the Grantee(s), or its assigns, any deficit on an actual proration, and likewise, the Grantee(s) agrees to pay the Grantor(s), or its assigns, any amount overpaid by it.

WITNESS OUR SIGNATURES, this the 27th day of MAY, 2011.


THOMAS H. COOPER


KATHLEEN M. COOPER

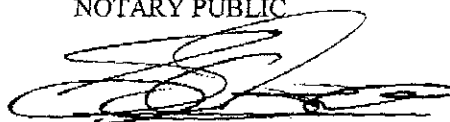
STATE OF MISSISSIPPI
COUNTY OF HARRISON

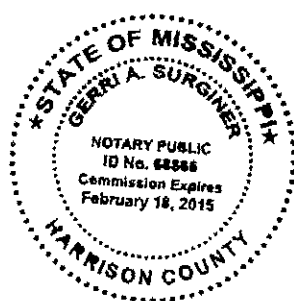
PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the above stated jurisdiction, the within named **THOMAS H. COOPER** and **KATHLEEN M. COOPER** who acknowledged that they signed and delivered the foregoing Warranty Deed on the day and year therein written as their own free and voluntary act and deed.

GIVEN under my hand and official seal on this the 27th day of MAY, 2011.

MY COMMISSION EXPIRES:

NOTARY PUBLIC





3

Exhibit "A"

Lots One (1), Two (2) and Three (3) less the South 10 feet thereof, Block Eighteen (18), MCALPIN ADDITION to the City of Gulfport, Mississippi, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 1 at Page 29 thereof, reference to which is hereby made in aid and as a part of this description.

This being the same property previously conveyed to Thomas H. Cooper and Kathleen M. Cooper in Quitclaim Deed dated October 3, 2008 and recorded as Instrument Number 2008-8413-D-J1 in the records of Harrison County, Mississippi.

STATE OF MISSISSIPPI									
MISSISSIPPI STATE DEPARTMENT OF HEALTH VITAL RECORDS									
TYPE OR PRINT WITH BLACK INK		FILING DATE JUN 16 1997		CERTIFICATE OF DEATH STATE OF MISSISSIPPI		STATE FILE NUMBER 123-97511772			
DECEASED		1. NAME First Middle Last James Bobby Cooper Sr. Male		2. SEX		3a. HOUR OF DEATH 3b. DATE OF DEATH (Month Day Year) 6:40 a.m. June 9, 1997			
4. RACE (Specify White, Black, American Indian, etc.) white		5a. AGE AT LAST BIRTHDAY 87 Years		ONLY IF UNDER 1 YEAR ONLY IF UNDER 1 DAY 5b. MONTH 5c. DAYS 5d. HOURS 5e. MIN.		6. DATE OF BIRTH (Month Day Year) 7a. COUNTY OF DEATH Sept. 25, 1909 Harrison			
7b. CITY OR TOWN OF DEATH Gulfport		7c. HOSPITAL OR OTHER INSTITUTION NAME AND NUMBER (if not in either, give street address, route number or other location) Memorial Hospital at Gulfport #24M Inpatient				7d. IF IN HOSP. OR INST. SPECIFY INPT. OUTPT. EMER. RM. OR DOA Mississippi			
9. DECEDENT'S EDUCATION (Specify only highest grade completed) Elementary School College		10. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify) married		11. SURVIVING SPOUSE (if wife, give maiden name) Morene Evelyn Jeter		12. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes or No) no			
13. ORIGIN OR DESCENT (Specify Cuban, Afro-American, Mexican, etc.) American		14. SOCIAL SECURITY NUMBER 426 07 5548		15a. USUAL OCCUPATION (Kind of work done, most of working life) owner/operator		15b. KIND OF BUSINESS OR INDUSTRY jewelry store			
16a. RESIDENCE—STATE Mississippi		16b. COUNTY Harrison		16c. CITY OR TOWN Gulfport		16d. INSIDE CITY LIMITS (Specify Yes or No) yes		16e. STREET AND NUMBER OR RURAL LOCATION 812 East Beach Blvd.	
PARENTS		17. FATHER—NAME First Middle Last Jacob A. Cooper		18. MOTHER—NAME First Middle Maiden Martha Wyatt					
INFORMANT		19a. INFORMANT—NAME (Type or print) Morene Cooper		19b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 812 East Beach Blvd, Gulfport, MS 39501					
DISPOSITION		20a. BURIAL, CREMATION, REMOVAL (Specify) burial		20b. CEMETERY, CREMATORY—NAME Floral Hills Mem. Gdns., Gulfport, MS		20c. LOCATION (City and State) Lex. Auster, PS 709			
PRONOUNCEMENT		21a. PERSON WHO PRONOUNCED DEATH—NAME AND TITLE (Type or print) Douglas Lanier, M.D.		21b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) P.O. Drawer 1750, ug:f Gulfport, MS 39507		22a. PRONOUNCED DEAD (Month Day Year) 22b. PRONOUNCED DEAD (Hour) ON June 9, 1997 AT 6:40 a.m.			
CERTIFIER		23a. CERTIFIER—NAME (Type or print) Joseph O'Gorman, D.O.		23b. MAILING ADDRESS (Street and number or route and box number, City or town, State, ZIP code) 4300 A W. Railroad Street, Gulfport, MS 39501					
Mississippi State Board of Health Form No. 511 Revised 1-1-89		24a. To the best of my knowledge, death occurred due to the cause(s) and manner as stated. SIGNATURE <i>[Signature]</i> 24b. DATE SIGNED (Month Day Year) 6/12/97 24c. STATE LICENSE NUMBER 13450 24d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or print)		24e. On the basis of examination and/or investigation, in my opinion, death occurred due to the cause(s) and manner as stated. SIGNATURE <i>[Signature]</i> 24f. TITLE 24g. DATE SIGNED (Month Day Year)					
CAUSE OF DEATH		25. PART I: DEATH CAUSED BY: (a) IMMEDIATE CAUSE (Enter one cause only) Pneumonia (b) DUE TO, OR AS A CONSEQUENCE OF (Enter one cause only) Aspiration (c) DUE TO, OR AS A CONSEQUENCE OF (Enter one cause only) post-operative lysis adhesions 26. PART II: OTHER SIGNIFICANT CONDITIONS—Conditions contributing to death but not resulting in the underlying cause (Enter in PART I) acute renal failure, critical coronary artery disease		Interval between onset and death 3 days Interval between onset and death 3 days Interval between onset and death 20 days		27. AUTOPSY 28. WAS CASE REFERRED TO MEDICAL EXAMINER? (Yes or No) (Yes or No) No No			
29a. ACCIDENT, SUICIDE, HOMICIDE, PENDING INVESTIGATION, OR UNDETERMINED (Specify) NOT due to natural causes		29b. DATE OF INJURY (Month Day Year) 29c. HOUR OF INJURY (m) 29d. DESCRIBE HOW OR BY WHAT MEANS INJURY OCCURRED		29e. INJURY AT WORK (Yes or No) 29f. PLACE OF INJURY (Specify Home, Farm, Street, Factory, Office building, etc.) 29g. LOCATION Street or route number City or town State					

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE CERTIFICATE ON FILE IN THIS OFFICE

Brian W. Amy, MD, MHA, MPH
STATE HEALTH OFFICER

Judy Moulder
STATE REGISTRAR

SEP 29 2006

WARNING: A REPRODUCTION OF THIS DOCUMENT RENDERS IT VOID AND INVALID. DO NOT ACCEPT UNLESS EMBOSSED SEAL OF THE MISSISSIPPI STATE BOARD OF HEALTH IS PRESENT. IT IS ILLEGAL TO ALTER OR COUNTERFEIT THIS DOCUMENT.

OPERATING AGREEMENT

OF

MARCEL PROPERTIES, LLC

This Operating Agreement (this "Agreement") of **MARCEL PROPERTIES, LLC**, a **Mississippi** limited liability company (the "Company"), is adopted and entered into on May _____, 2011, by and among **Henry John Marcel** and **Jeanne A. Marcel**, as members (the "Members," which term includes any other persons who may become members of the Company in accordance with the terms of this Agreement and the Act) and the Company pursuant to an in accordance with the Limited Liability Company Law of the State of **Mississippi**, as amended from time to time (the "Act"). Terms used in this Agreement which are not otherwise defined shall have the respective meanings given those terms in the Act.

In consideration of the matters described above, and of the mutual benefits and obligations set forth in this agreement, the parties agree as follows:

ARTICLE ONE

NAME

The name of the limited liability company under which it was formed is **MARCEL PROPERTIES, LLC**.

ARTICLE TWO

TERM

The Company shall continue until dissolved in accordance with the Act.

ARTICLE THREE

MANAGEMENT

Management of the Company is vested in its Members, who will manage the Company in accordance with the Act. Any Member exercising management powers or responsibilities will be deemed to be a manager for purposes of applying the provisions of the Act, unless the context otherwise requires, and that Member will have and be subject to all of the duties and liabilities of a manager provided in the Act. The Members will have the power to do any and all acts necessary or convenient to or for the furtherance of the purposes of the Company set forth in this Agreement, including all powers of Members under the Act.

ARTICLE FOUR

PURPOSE

The purpose of the Company is to engage in any lawful or activity for which limited liability companies may be formed under the Act and to engage in any and all activities necessary or incidental to these acts.

ARTICLE FIVE

MEMBERS

The names and the business, residence or mailing address of the members are as follows:

Name	Address
Henry John Marcel	1808 2 nd Street, Gulfport, MS. 39501
Jeanne A. Marcel	1808 2 nd Street, Gulfport, MS. 39501

ARTICLE SIX

CAPITAL CONTRIBUTIONS

The Members have contributed to the Company the following amounts, in the form of cash, property or services rendered, or a promissory note or other obligation to contribute cash or property or to render services:

Member	Amount of Capital Contribution
Henry John Marcel	\$ _____
Jeanne A. Marcel	\$ _____

ARTICLE SEVEN

ADDITIONAL CONTRIBUTIONS

No member is required to make any additional capital contribution to the Company.

ARTICLE EIGHT

ALLOCATION OF PROFITS AND LOSSES

The Company's profits and losses will be allocated in proportion to the value of the capital contributions of the Members.

ARTICLE NINE

DISTRIBUTIONS

Distributions shall be made to the Members at the times and in the aggregate amounts determined by the Members. Such distributions shall be allocated among the Members in the same proportion as their then capital account balances.

ARTICLE TEN

WITHDRAWAL OF MEMBER

A Member may withdraw from the Company in accordance with the Act.

ARTICLE ELEVEN

ASSIGNMENTS

A Member may assign in whole or part his or her membership interest in the Company; provided, however, an assignee of a membership interest may not become a Member without the vote or written consent of at least a majority in interest of the Members, other than the Member who assigns or proposes to assign his or her membership interest.

ARTICLE TWELVE

ADMISSION OF ADDITIONAL MEMBERS

One or more additional Members of the Company may be admitted to the Company with the vote or written consent of a majority in interest of the Members (as defined in the Act).

ARTICLE THIRTEEN

LIABILITY OF MEMBERS

The members do not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

ARTICLE FOURTEEN

EXCULPATION OF MEMBER-MANAGERS

A Member exercising management powers or responsibilities for or on behalf of the Company will not have personal liability to the Company or its members for damages for any breach of duty in that capacity, provided that nothing in this Article shall eliminate or limit: (i) the liability of any Member-Manager if a judgment or other final adjudication adverse to him or her establishes that his or her acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law, or that he or she personally gained in fact a financial profit or other advantage to which he or she was not legally entitled, or that, with respect to a distribution to Members, his or her acts were not performed in accordance the Act; or (ii) the liability of any Member-Manager for any act or omission prior to the date of first inclusion of this paragraph in this Agreement.

ARTICLE FIFTEEN

GOVERNING LAW

This Agreement shall be governed by, and construed in accordance with, the laws of the State of Mississippi, all rights and remedies being governed by those laws.

ARTICLE SIXTEEN

INDEMNIFICATION

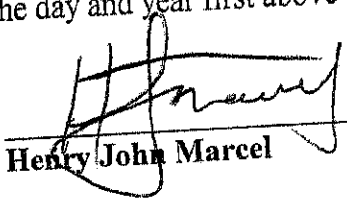
To the fullest extent permitted by law, The Company shall indemnify and hold harmless, and may advance expenses to, any Member, manager or other person, or any testator or intestate of such Member, manager or other person (collectively, the "Indemnitees"), from and against any and all claims and demands whatsoever; provided, however, that no indemnification may be made to or on behalf of any Indemnitee if a judgment or other final adjudication adverse to such Indemnitee establishes: (i) that his or her acts were committed in bad faith or were the result of active and deliberate dishonesty and were material to the cause of action so adjudicated; or (ii) that he or she personally gained in fact a financial profit or other advantage to which he or she was not legally entitled. The provisions of this section shall continue to afford protection to each Indemnitee regardless of whether he or she remains a Member, manager, employee or agent of the Company.

ARTICLE SEVENTEEN

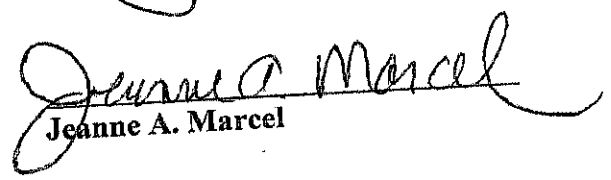
TAX MATTERS

The Members of the Company and the Company intend that the Company be treated as a partnership for all income tax purposes, and will file all necessary and appropriate forms in furtherance of that position.

In witness the parties have executed this agreement the day and year first above written.



Henry John Marcel



Jeanne A. Marcel



State of Mississippi
Mississippi Secretary of State's Office
C. Delbert Hosemann, Jr.

Invoice Number: 6437295

Invoice Date: 05/20/2011 10:58 AM

Billing Information

Marion, Andrew
1919 23Rd Avenue
Post Office Box 863
Gulfport, MS 39502

Product Description	Certification Number	Order Date	Qty	Pages	Item Cost	Extended	Amount Due
Corp Fees - F0100 - MS LLC Certificate of Formation Re: Marion, Andrew Contact: Andrew Marion Shipped Via: Mail Tracking #: 3003891	12490217	05/20/2011	1	1	50.00	50.00	Paid

Credit Balance as of 05/26/2011 2:39 PM: \$0.00

Invoice Total: \$50.00

Payment Details:

Check #15341 for \$50.00(12490217:\$50.00,)

Payment Total: \$50.00

Amount Due: \$0.00

Contact(s): None specified

Include invoice number on all correspondence and send to:

UCC Inquiries: Mississippi Secretary of State's Office
P.O. Box 136
Jackson, MS 39205

To discuss payment for UCC items call:
(601) 359-1633

Corporation Inquiries: Mississippi Secretary of State's Office
P.O. Box 136
Jackson, MS 39205

To discuss payment for Corporation items call:
(601) 359-1633

Mississippi LLC Certificate of Formation

The undersigned hereby executes the following document and sets forth:
(fields marked with an asterisks are required)

1. Name of the Limited Liability Company: (The name must include the words "Limited Liability Company" or the abbreviation "LLC" or "L.L.C.")

⇒ * MARCEL PROPERTIES, LLC

2. The future effective date is
(Complete if Applicable)

Business Email Address:

3. Federal Tax ID if available (Do not put Social Security Number in the box)

⇒ 45-2297339

4. Name and Street Address of the Registered Agent and Registered Office is (must be in Mississippi)

⇒ *Name Henry John Marcel

⇒ *Physical Address 1808 2nd Street

⇒ P.O. Box

*City Gulfport

MS

39501

* State * Zip5 - Zip4

5. If the Limited Liability Company is to have a specific date of dissolution, the latest date upon which the Limited Liability Company is to dissolve is

6. Is full or partial management of the Limited Liability Company vested in a manager or managers? (Mark Appropriate box)

⇒ * ☐ Yes

☒ No

7. Other matters the managers or members elect to include: (Attach additional pages if necessary)

⇒

⇒

Certificate of Formation

8. Signatures: This certificate must be signed by at least one member, manager, or organizer. (If signed by "manager" box 6 on page one 1 should be marked "yes".) The name, title, and address of each signer should be included in the spaces indicated. This page may be duplicated for additional signatures.

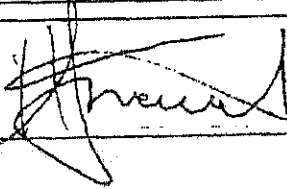
* Printed Name

Henry John Marcel

* Title

member

* By: Signature



(please keep writing within blocks)

Street and
Mailing Address⇒ * Physical
Address

1808 2nd Street

⇒ * P. O. Box

⇒ * City

Gulfport

MS

39501

State Zip5 - Zip4

3003891

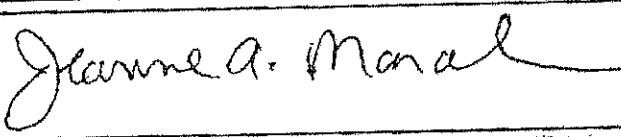
Printed Name

Jeanne A. Marcel

Title

member

By: Signature



(please keep writing within blocks)

Street and
Mailing Address⇒ Physical
Address

1808 2nd Street

⇒ P. O. Box

⇒ City

Gulfport

MS

39501

State Zip5 - Zip4

ANDREW MARION, PLLC

ATTORNEY AT LAW

1919 23rd Avenue, Gulfport, MS 39501

P.O. Box 863, Gulfport, MS 39502

Tel. (228)-865-9047

Fax (228)-865-9049

Toll free (866)-221-4819

May 19, 2011

Secretary of State

P. O. Box 136

Jackson, MS 39205-0136

RE: Marcel Properties, LLC/Mississippi LLC Certificate of Formation

Dear Sir or Madam:

Enclosed you will find a check in the amount of \$50.00 along with the Mississippi LLC Certificate of Formation application, with regard to the above referenced. Please file and return this to our office as soon as possible.

Please contact me at (228)-865-9047 if you have any questions regarding this matter.

Sincerely,


Andrew Marion

Enc.

3003891

2ND STREET APARTMENTS
1801 2ND STREET
GULFPORT, MS 39501

#1 2ND STREET APARTMENTS IS ASKING TO ADD AN 8' X 35' BALCONY OFF THE WEST SIDE OF THE BUILDING TO ENHANCE THE LIVEABLE SPACE AND FURTHER ENJOY THE BEACHVIEW. 2ND STREET CONTINUES TO RAISE THE BAR AS TO WHAT BEACH COMMUNITIES CAN ACHIEVE. A VARIANCE HAD ALREADY BEEN AWARDED FOR THE EAST SIDE WITH A LARGER 15' X 35' COVERED DECK AND PATIO. (PKS ATTACHED)

#2 WE ARE ASKING TO ADD A DECK & PATIO AREA. WE ARE NOT TRYING TO CORRECT A VARIANCE VIOLATION.

#3 WE ARE ONLY ASKING FOR 8' OF BALCONY OFF THE BUILDING AND NOT 10' WHICH WOULD BE A REQUEST FOR "O LOT LINE" VARIANCE.

#4 THE COVERED BALCONY / LIVING SPACE WILL ENHANCE THE PROPERTY, 2ND STREET AND THE BEACHVIEW COMMUNITY.

#5 WE ARE NOT ASKING FOR
ANY OR WILL NOT RECEIVE ANY
ADDITIONAL BENEFIT FOR THE AWARD
OF THIS VARIANCE. THIS PROPERTY
REQUEST FACES THE ALLEY AND ALL
OF THE ADJACENT PROPERTIES ARE
AT OR NEAR PROPERTY LINE.

#6 THE USE OF THIS PROPERTY IS
PERMISSIBLE BY RIGHT, WITH PLANNING
APPROVAL.

NOTE: WE ARE ONLY ASKING FOR
A VARIANCE SIMILAR TO THE
VARIANCE THAT WAS ALREADY APPROVED
FOR THE EAST SIDE OF THE BUILDING!

THANKS,

DAVID MARCEL
MARCEL PROPERTIES
228-324-7918



Covenant Affidavit

I, HENRY MARCEL, being owner or agent of the property 1801 2ND ST. APT. 6
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]
Signature

1-28-22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 28th day of January, 20 22

[Signature]
Notary Public

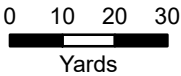


May 28, 2023
Commission Expiration



Legend

- Site
- Adjacent Properties
- Street
- Railroad
- Buildings



1 inch = 110 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N N	32723	0811G-06-010.000	HENRY J. MARCEL (OWNER)	1801 2ND STREET	GULFPORT	MS	39501
	32723	0811G-06-010.000	MARCEL PROPERTIES LLC (OWNER)	1808 2ND STREET	GULFPORT	MS	39501
	32703	0811G-06-009.000	MARCEL JEANNE A DUHE & HENRY	1808 2ND STREET	GULFPORT	MS	39501
	Adjacent Property Owners						
	32700	0811G-06-006.000	ALFONSO LINDA	1615 18TH AVE	GULFPORT	MS	39501
	32720	0811G-03-051.000	ALMANETT LLC	10211 SOUTH PARK DR	GULFPORT	MS	39503
	32721	0811G-03-052.000	ALMANETT LLC	P O BOX 6216	GULFPORT	MS	39506
	140336	0811G-06-013.001	BENNETT ELIZABETH A	1802 15TH STREET	GULFPORT	MS	39501
	32725	0811G-06-012.000	BLANNER JOSEPH C & JESSICA L	3181 HWY FF	EUREKA	MO	63025
	32734	0811G-06-035.000	BOOTON RICHARD F	1513 19TH AVE	GULFPORT	MS	39501
	25596	0811G-03-050.000	BRADFORD O'KEEFE FUNERAL HOME	P O BOX 677 C/O ACCOUNTS PAYABLE CLERK	OCEAN SPRINGS	MS	39566
	141449	0811G-03-053.001	BROOKS JAYSSON TREVOR & BRITTANY	1818 E NORTHSIDE DR	JACKSON	MS	39211
	32729	0811G-06-016.000	CLELAND WILLIAM H & GYANNE C	1510 19TH AVE	GULFPORT	MS	39501
	32732	0811G-06-034.000	COLLINS WILLIAM H & CHERRIE L	1515 19TH AVE	GULFPORT	MS	39501
	32701	0811G-06-007.000	CORKREN VALERIE T	4015 WASHINGTON AVE	GULFPORT	MS	39507
	32724	0811G-06-011.000	DAVI JENNIFER	1511 18TH AVE	GULFPORT	MS	39501
	140455	0811G-06-011.001	DAVI JENNIFER	2082 BEACH DR	GULFPORT	MS	39507
	32735	0811G-06-036.000	GULF COAST REALTY INVESTMENT LLC	P O BOX 7122	GULFPORT	MS	39506
	32726	0811G-06-013.000	HARRIS JOHN MICHAEL JR & SERRE	1808 15TH ST	GULFPORT	MS	39501
	32686	0811G-06-031.000	HILL SAMANTHA EVELYN	1607 19TH AVENUE	GULFPORT	MS	39501
	32716	0811G-03-024.000	HOUSE ERNEST TROTH & DARLENE MARIE	1614 18TH AVE	GULFPORT	MS	39501
	32704	0811G-06-019.000	HUTTO ERIC D & SARAH	7001 MCDUI DR	OXFORD	MS	38655
	32722	0811G-03-053.000	KATHMANN BRETT S	3808 DERBIGNY ST	METAIRIE	LA	70001
	32736	0811G-06-037.000	LIEN ROBERT C JR	333 ADAMS ST	NEW ORLEANS	LA	70118
	32731	0811G-06-018.000	MILES CLAIBORNE E	15010 SWAN LAKE BLVD	GULFPORT	MS	39503
	32718	0811G-03-025.000	MILES LEE & KAYLA	3513 NATURAL LANE	JACKSON	MI	49203
	32706	0811G-06-021.000	MILLER JIMMIE L	1608 19TH AVE	GULFPORT	MS	39501
	141450	0811G-03-053.002	MORRIS JUDE A & SHALECE	1732 15TH ST	GULFPORT	MS	39501
	32705	0811G-06-020.000	MYERS KEVIN M	1606 19TH AVE	GULFPORT	MS	39501
	32717	0811G-03-024.001	PAGE BRUCE L & MARY M S	1610 18TH AVE	GULFPORT	MS	39501
	32707	0811G-06-022.000	REICKER DANIEL A	P O BOX 1470	SANTA BARBARA	CA	93102
	25597	0811G-03-027.000	RUBLE WILLIAM WARREN III	1732 SECOND ST	GULFPORT	MS	39507
	32727	0811G-06-014.000	SKYE BUILDING LLC	1822 15TH ST SUITE A	GULFPORT	MS	39501
	32719	0811G-03-026.000	SOUTHERN READY MIX LLC	P O BOX 281	LUCEDALE	MS	39452
N	144204	0811G-03-026.001	SOUTHERN READY MIX LLC	P O BOX 281	LUCEDALE	MS	39452

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
32685	0811G-06-030.000	VAUGHN LISA S	1609 19TH AVE	GULFPORT	MS	39501	
32702	0811G-06-008.000	WAGES TAMMY LYNN	1607 18TH AVE	GULFPORT	MS	39501	
32687	0811G-06-032.000	WILKINS CLAY E & PAMELA S	1601 19TH AVE	GULFPORT	MS	39501	
32730	0811G-06-017.000	YOSTE CHRISTIE L & HARRY M JR	1514 19TH AVE	GULFPORT	MS	39501	

RE: Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

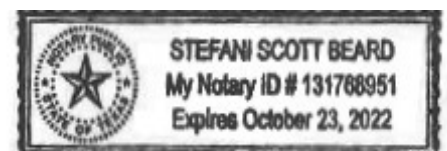
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203PC037:

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB037

Hearing Date: March 17, 2022

Current Zoning/Use: B-2/Commercial Property

Legal: Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to allow for a barbed wire fence. Specifically, the applicant requests; 1) an existing 8-foot chain link fence to have two feet of barbed wire which abuts residential property.

- (a) The applicant cites the need for a 8-foot fence with barbed wire is an increased number of break-ins, property damage and theft occurring on the subject parcel; the applicant notes that this fence design will be more difficult to cut or climb, reducing the amount of break-ins. As the property is predominately surrounded by non-residential zoning, there stands to be consideration for special conditions and circumstances peculiar to the land.
- (b) In the application, the applicant states that the fence is being built in the same footprint as the fence that was previously installed. There is no mentioning of any special conditions or circumstances caused by the applicant. A fence being placed in the same footprint does not constitute a hardship; further, the applicant created the scenario by constructing a fence with barbed wire abutting a residential zone.
- (c) This type of variance is not needed with an ordinance modification. If the residential zone was consistent with the other surrounding zones coupled with the landscaping buffer of trees in between the fence and the residential zone there would be no need for variance; offering the applicant a reasonable solution.
- (d) No other property in the neighborhood has an 8-foot fence with two feet of barbed wire while abutting a residential zone. This would set precedence for the rest of the area. Statements that "the fence would protect the property and its tenants, who do substantial operations within the city," does not create hardship and would confer special privilege to the property and its tenants.
- (e) As proposed, the request would be a special privilege to the property and neighborhood which will encourage additional applications.
- (f) This property is zoned B-2, a barbed wire style fence is permitted in this zoning district; which are not adjacent to a residential zoned district.

EXECUTIVE SUMMARY

The applicant has not satisfied the ordinance requirements by meeting the six hardship conditions set by the City of Gulfport, in order to grant variances. Further, a variance for the addition of a barbed wire fence for security wouldn't be necessary if all of the surrounding zoning was commercial property. Although there is consideration for the abutting zones, this request should be denied.

Any approval should consider these conditions:

1. Approval grants a variance for an existing 8-foot chain link fence to have two feet of barbed wire which abuts residential property.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 03/07/2022.

Public Works: No conditions. Memo dated 03/07/2022.

Technical Report

VARIANCE

Traffic and Safety: No conditions. Memo dated 02/28/2022.

Building Code Services: No conditions. Memo dated 02/28/2022.

GIS: No conditions. Memo dated 03/03/2022.

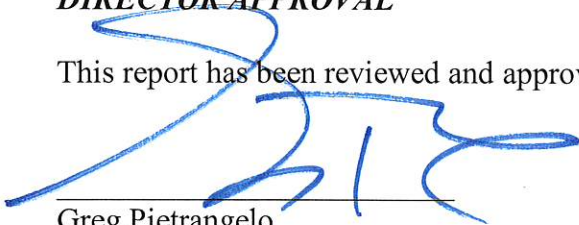
Police Department: No conditions. Memo dated 03/02/2022.

Fire Department: No conditions. Memo dated 02/28/2022.

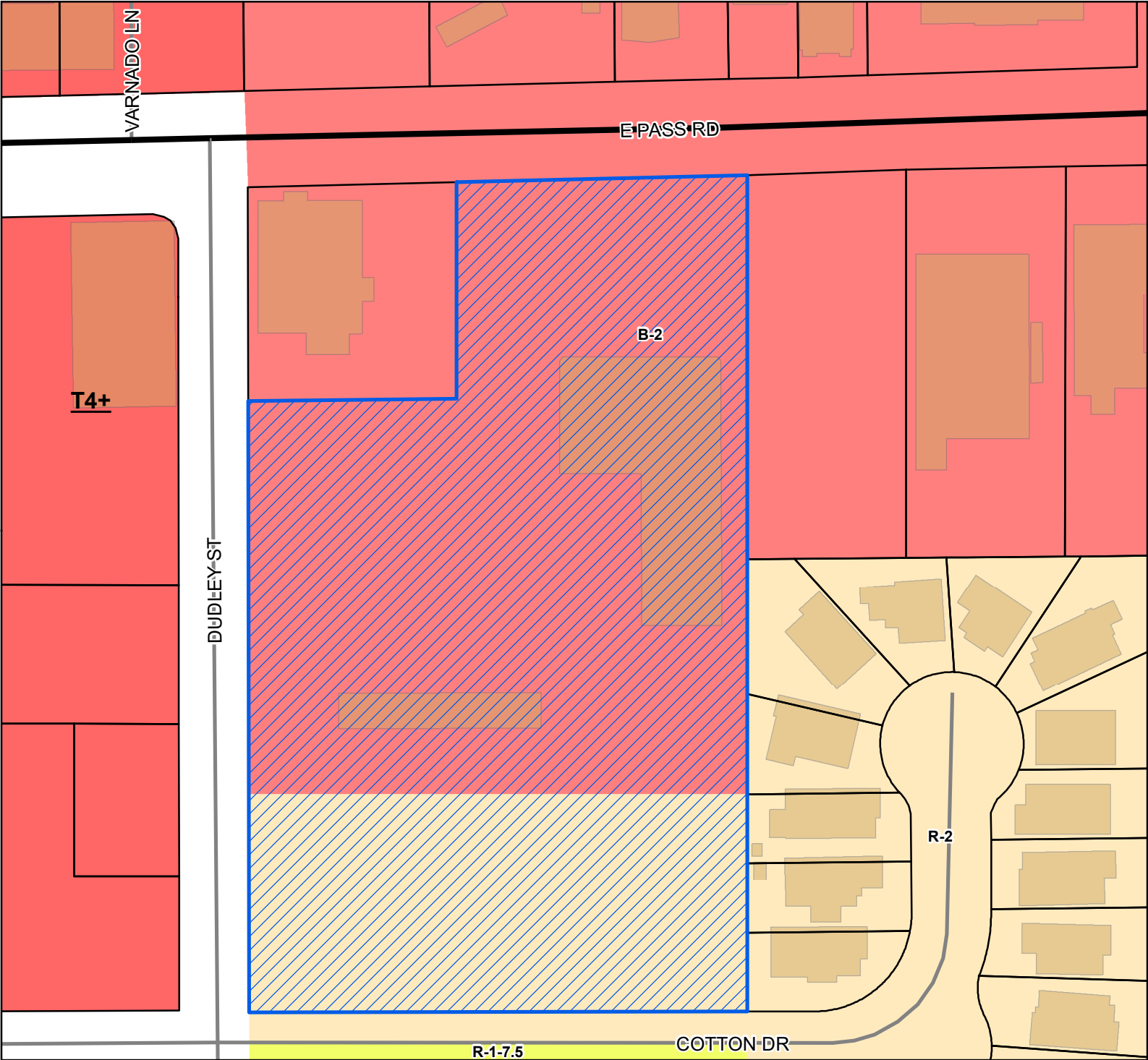
City Arborist: No conditions. Memo dated 03/01/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



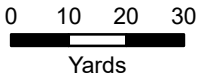
Greg Pietrangelo
Director of Urban Development Department



- Legend**
- Site
 - US or State Highway
 - Street
 - Parcels
 - Buildings
- Smart Code**
- T4+
- Zoning**
- B-2 - General Business District
 - R-1-7.5 - Single Family Residence District (Low Density)
 - R-2 - Single Family Residence District (Medium Density)

Site Information

1010G-03-004.000
Zoning: B-2 (General Business District)
Size: 4.40 Acres
Flood: X



1 inch = 100 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

\$75.00



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2203PC037Date Received: 1/31/22

Receipt #: _____

Received By: MWZoning: B2Ward: 2 Flood: XSize: 4.40 Acres

(If necessary, use separate sheet of paper)

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

1	0	1	0	G	-	0	3	-	0	0	4	●	0	0	0
					-			-				●			
					-			-				●			

Address of Property Involved: 2019 EAST PASS ROAD, GULFPORT MSLot(s) _____, Block(s) _____, Subdivision GREAT SOUTHERN GOLF ESTATES UNIT 3General Location: SE Corner of Pass Road and Dudley St.

GENERAL DESCRIPTION OF REQUEST:

Allow a variance to install 3 strands of barbed wire atop new security chain link fencing on the South and East side of the property. This is to replace the previous chain link fence which also had 3 strands of barbed wire.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

MISSORAM, LLC

Printed Name Of Owner
106 Vail Lane

Mailing Address
Watchung, NJ 07069

City State Zip code
908-753-6316 908-668-5006

Home Phone Work/Cell Phone
andyshap222@gmail.com 908-295-8459

Email Andrew Shapiro, Member & Manager

Signature Of Owner

AGENT

Olen Anderson

Printed Name Of Agent
2204 Highway 53

Mailing Address
Perkinston, MS 39573

City State Zip code
228-255-9040 228-323-2125

Home Phone Work/Cell Phone
anderson.olen@gmail.com

Email Olen Anderson

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

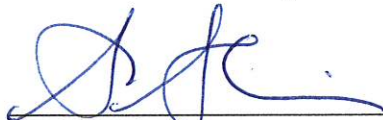
SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

COUNTY OF Bergen
STATE OF New Jersey

AFFIDAVIT IN SUPPORT OF FENCE VARIANCE
CITY OF GULFPORT, MS (Application Sections C, D and G)

I, Andrew Shapiro, do hereby attest to the following:

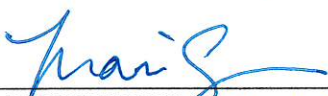
1. MISSORAM, LLC, is the sole owner of the real property located at 2019 East Pass Road, Gulfport, Mississippi 39507.
2. I am the Manager of MISSORAM, LLC, and have full authority to authorize Olen Anderson to act as its agent for the application for a fence variance of the named property as stated in Section F to the application.
3. This variance, if granted, is not in violation of restrictive or protective covenants.



Andrew Shapiro
Member and Manger
MISSORAM, LLC

On this day, Andrew Shapiro, appeared before me, the undersigned authority, who under oath did attest that he has the authority to act on behalf of MISSORAM, LLC and that the matters asserted are true and correct.

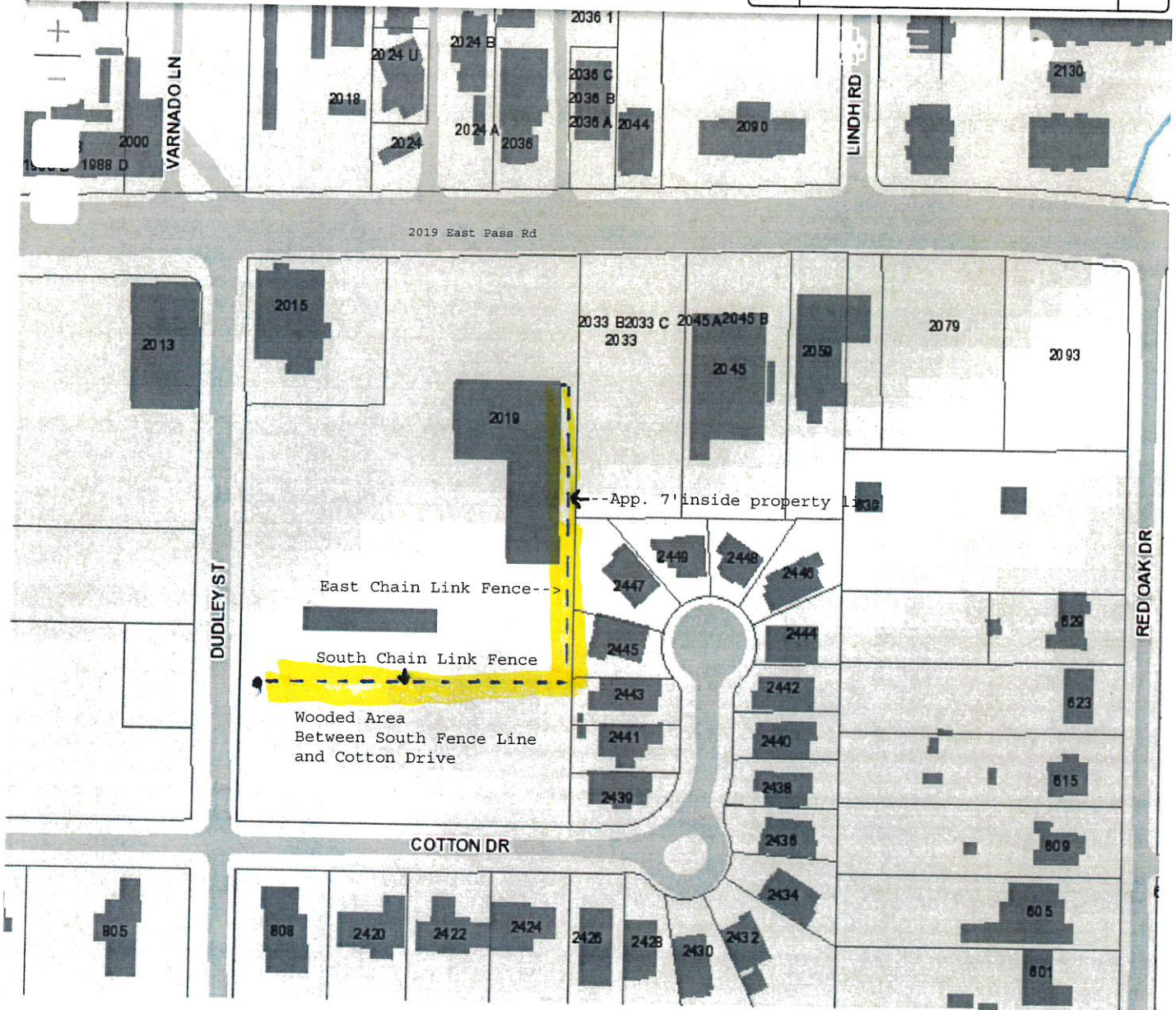
So subscribed and attested, this the 27th day of January, 2022.



NOTARY PUBLIC Mari Sassa (seal)

Commission Expires: 9/22/2022

MARI SASSA
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 9/22/2022



B. Site Plan

Re: Request to Add 3 strands of barbed wire to 8' high fence
on South and East sides



200ft
-89.004 30.402 Degrees

Section F – Application for Variance

Proposed Variance - Add Three Stands of Barbed Wire to 8' High Chain Link Fencing on Applicants South and East Fence Line Adjacent to a Residential Use or District.

1. Special Conditions – The current tenant of this commercial property is CenterPoint Energy who uses this property to store valuable equipment and materials. This property has experienced an increase in intruders cutting or climbing the prior chain link fencing and damaging and stealing their equipment and materials. As a result, the tenant has installed a mini-mesh chain link fence which is much more difficult to cut. The addition of barbed wire will make it more difficult for intruders to climb. The prior fence had three-stands of barbed wire so there is no change to the aesthetic appearance.
2. Action of Applicant – The new fence was installed out of necessity to protect the tenant's property and was installed in the same line as the prior fence. The applicant has taken no other action than to replace one 8' high fence with another that is more secure and protective of the tenant's property.
3. Hardship – This is a commercial property that is buffered to the South by a wooded area so that the fence does not adjoin any residential housing. The east line is bordered by two residential homes that each have privacy fencing of their own. Further the fence has been placed back in the original fence line and is inside the East property line approximately seven feet with a line of trees between the fence and adjoining properties. This allows a set-back for safety to the adjoining properties and the addition of barbed wire fencing will not substantially change the appearance of the existing fence. To not allow the three stands to be replaced leaves the tenant vulnerable to intruders climbing the fence.
4. Deprivation of rights – This variance is requested to protect the tenant's employees and property who maintains a substantial operation within the City.
5. No special privileges – The addition of three stands of barbed wire would be an equivalent use to most commercial enterprises that store or maintain an equipment yard. Further this is a replacement of pre-existing fence in the existing fence line.
6. The proposed use is subject to a variance under the Gulfport Fence Ordinance Guide under Section IV. (D)(7)(d) – Standards for Variance Approval.
 - i. Safety – The south line has no adjoining homes and is buffered by a wooded area. The east line maintains safety by being set back from existing homeowner privacy fencing. Further, safety should be considered for the tenant as intruders into the property poses a safety risk for employees.

- ii. Visual impact – The south line has no visual impact as it is buffered by a wooded area. The east line is buffered by existing privacy fencing, a set back and trees.
- iii. Design – The addition of three strands of barbed wire will have no impact on the area.
- iv. Impact on Ingress and Egress – None.
- v. Screening, buffering etc. – None other than to provide reasonable and additional protection to the tenant's property.
- vi. Compatibility with adjacent properties – from all street side views, the addition of barbed wire to the South and East lines will not have any impact on adjacent properties.

Submitted by:



Olen Anderson

Designated Agent for MISSORAM, LLC



South line



East Line

BOOK 1351 PAGE 644

SPECIAL WARRANTY DEED
(Property No. 1301)

ENTERED

STATE OF MISSISSIPPI §
COUNTY OF HARRISON §

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid; and other good and valuable consideration, the receipt and sufficient of all of which are hereby acknowledged, the undersigned, LAMAR LIFE INSURANCE COMPANY, a Mississippi insurance corporation (whether one or more, "Grantor") does hereby sell, convey and specially warrant unto MISSORAM, LLC, a Georgia limited liability company (whether one or more, "Grantee"), all of that certain lot, tract or parcel of land situated in Harrison County, Mississippi, and being more particularly described as follows:

A tract of land in the City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as:

360 feet on the south side of Pass Road by 610 feet, more or less, in Block 14, Great Southern Golf Estates, Unit 3, less and except 150 feet on Pass Road by 170 feet, more or less, in the northwest corner of the subject property previously sold to the United States Government and less that certain easement varying width from 7.6 feet to 12.5 feet dated March 22, 1979, from Rose Estates Incorporated, to the City of Gulfport for the widening of Pass Road. Said easement being recorded in Book 854 at Page 330 in the Records in the Office of Harrison County, Mississippi. Said property is more particularly described as being bounded on the north by Pass Road, on the west by Dudley Street and the Social Security Building and parking lot, on the south by Cotton Drive, and on the east by the east line of Block 14, Great Southern Golf Estates, Unit 3, together with any and all improvements thereon.

AND THE SAID Grantor, for its successors and assigns, will specially warrant and forever defend the right and title to the above described property unto Grantees, its successors and assigns, against the claims of all persons claiming by through or under Grantor.

THIS CONVEYANCE and the special warranty herein contained are subject to the following matters:

1. Easement executed by Rose Estates, Inc., to City of Gulfport, Mississippi, dated March 22, 1979 and filed for record April 5, 1979, in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in the Records of Deeds in Book 854 at page 330.
2. Unrecorded Lease Agreement between Lamar Life Insurance Company and Entex, a division of ARKLA, Inc., dated January 11, 1993.

BOOK 1351 PAGE 645

Except as specifically stated herein, Grantor hereby specifically disclaims any warranty, guaranty, or representation, oral or written, past, present or future, of, as, to, or concerning (i) the nature and condition of the Property, including but not by way of limitation, the water, soil, geology and the suitability thereof, and of the Property, for any and all activities and uses which Grantee may elect to conduct thereon or any improvements Grantee may elect to construct thereon, income to be derived therefrom or expenses to be incurred with respect thereto, or any obligations or any other matter or thing relating to or affecting the same; (ii) the manner of construction and condition and state of repair or lack of repair of any improvements located thereon; (iii) except for any warranties contained herein, the nature and extent of any easement, right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; and (iv) the compliance of the Property or the operation of the Property with any laws, rules, ordinances, or regulations of any government or other body. THE CONVEYANCE OF THE PROPERTY AS PROVIDED FOR HEREIN IS MADE ON AN "AS IS" BASIS, AND GRANTEE ACKNOWLEDGES THAT, IN CONSIDERATION OF THE AGREEMENTS OF GRANTOR HEREIN, EXCEPT AS OTHERWISE SPECIFIED HEREIN, GRANTOR MAKES NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, INCLUDING, BUT IN NO WAY LIMITED TO, ANY WARRANTY OF CONDITION, HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY.

Grantee, by its acceptance hereof, does hereby assume and agree to pay any and all ad valorem taxes and special assessments pertaining to the Property for calendar year 1996 and subsequent years, there having been a proper proration of ad valorem taxes for the current calendar year between Grantor and Grantee.

EXECUTED as of the 21st day of October, 1996.

GRANTOR:

LAMAR LIFE INSURANCE COMPANY, a
Mississippi insurance corporation

By: Joseph L. Maverick
Name: Joseph L. Maverick
Title: Vice President

STATE OF Texas §
COUNTY OF Palm §

BOOK 1351 PAGE 646

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 21st day of October, 1996, within my jurisdiction, the within named JOSEPH L. MAVERICK, who acknowledged that he is the Vice President of LAMAR LIFE INSURANCE COMPANY, a Mississippi insurance company, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

[SEAL]

My Commission Expires:

5/3/99

Jennifer J. Killion
Notary Public, State of Texas

Jennifer J. Killion
Printed Name of Notary Public

JENNIFER J. KILLION
MY COMMISSION EXPIRES
5/3/99

Address and Phone of Grantor: Address and Phone of Grantee:

250 West Park II
8140 N. Mopac Expressway
Austin, Texas 78759
Attn: Mr. Joseph Maverick
512/343-3227

106 Vail
Watchung, New Jersey 07060
Attn: Mr. Andrew Shapiro
908-668-5006

Indexing Instructions:

Part of Block 14, Great Southern Golf Estates, Unit 3 (Plat Book 20, Page 32), Section 29, Township 7 South, Range 10 West, City of Gulfport, First Judicial District of Harrison County, Mississippi.

Prepared By:
Mike C. McWilliams, Esq.
Winstead Sechrest & Minick P.C.
5400 Renaissance Tower
1201 Elm Street
Dallas, Texas 75270
214-745-5631

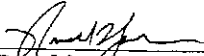
DA96290013
101796 v3
481:15882-2

BOOK 1351 PAGE 647

LAMAR LIFE INSURANCE COMPANY
SECRETARY'S CERTIFICATE

The undersigned, Ronald L. Jackson, being the Assistant Secretary of Lamar Life Insurance Company, a Mississippi domiciled insurance company (the "Company") hereby certifies that attached hereto as Exhibit A is true and correct copy of certain resolutions duly adopted by the Board of Directors of the Company, which resolutions have not been amended, annulled, rescinded, or revoked and are now in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Secretary's Certificate as or this 17th day of October, 1996.



Ronald L. Jackson
Assistant Secretary

BOOK 1351 PAGE 648

EXHIBIT A

RESOLVED, that the Company shall sell, transfer, deed and convey the real property described on the attached Exhibit "A" subject to all liens and encumbrances, if any (the "Property") to MISSORAM, LLC, a Georgia limited liability company.

RESOLVED FURTHER, that Joseph L. Maverick, Vice President of the Company, is hereby authorized and directed to execute and deliver any deeds, instruments, or other documents including but not limited to the Deed, to do all things hereby authorized, and the payment of the consideration therefore, in accordance with these resolutions in such manner as they may seem to be in the best interest of this Company, and do all things necessary or incident in carrying out these resolutions.

EXHIBIT A

BOOK 1351 PAGE 649

A tract of land in the City of Gulfport, First Judicial District of Harrison County, Mississippi, more particularly described as: 360 feet on the south side of Pass Road by 510 feet, more or less, in Block 14, Great Southern Golf Estates, Unit 3, less and except 150 feet on Pass Road by 170 feet, more or less, in the northwest corner of the subject property previously sold to the United States Government and less that certain easement varying width from 7.6 feet to 12.5 feet dated March 22, 1979, from Rosa Estates, incorporated, to the City of Gulfport for the widening of Pass Road. Said easement being recorded in Book 854 at Page 330 in the Records in the Office of Harrison County, Mississippi. Said property is more particularly described as being bounded on the north by Pass Road, on the west by Dudley Street and the Social Security Building and parking lot, on the south by Cotton Drive, and on the east by the east line of Block 14, Great Southern Golf Estates, Unit 3, together with any and all improvements thereon.

STATEMENT OF FEES

Recording Fee \$6.00
Abstracting/Section Fee at \$1.00 each 1.00
Marginal Entry at .50 each
Other Record Mgmt 1.00
TOTAL FEES COLLECTED 8.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

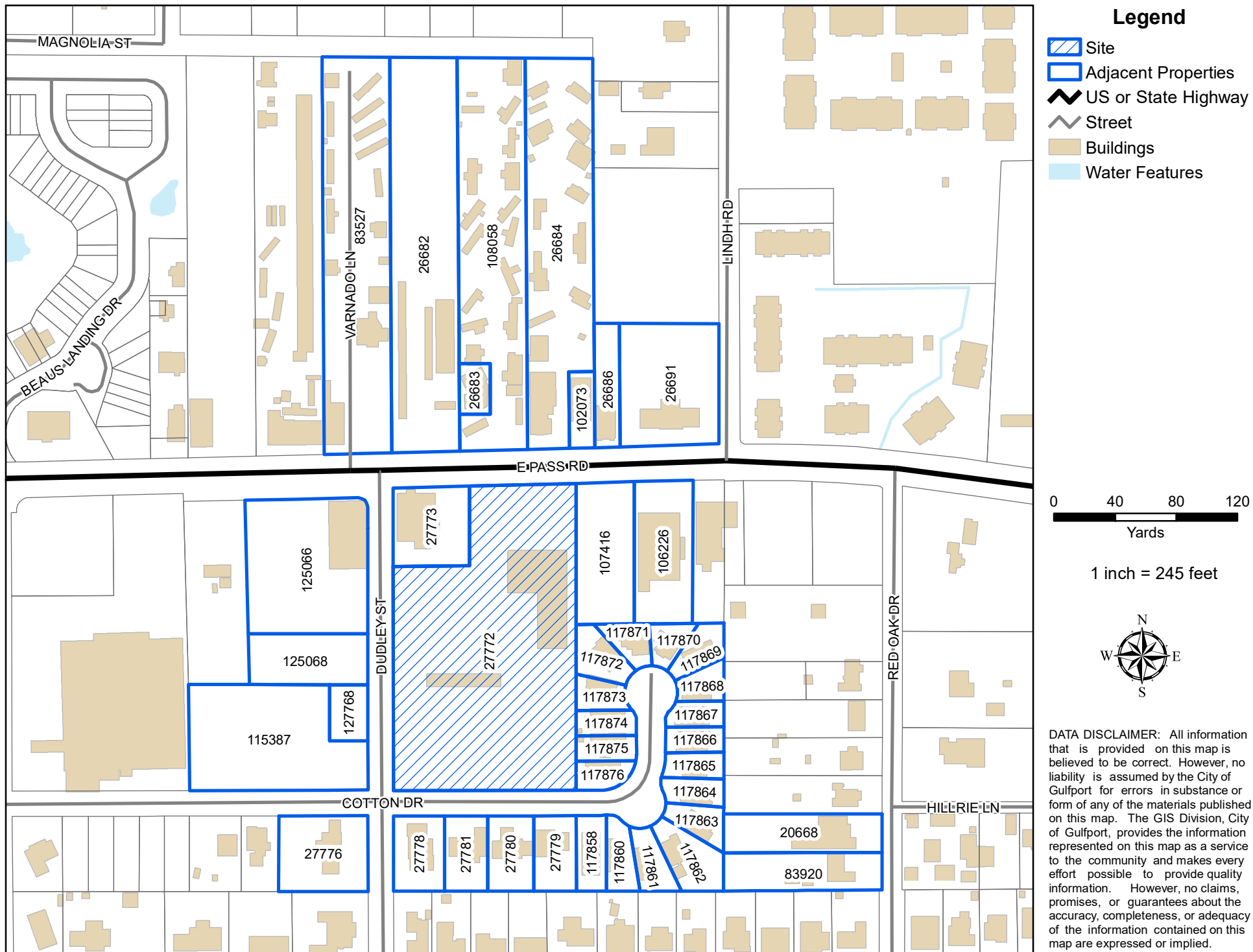
I hereby certify that this instrument was received and filed for record at 12 o'clock and 2 minutes P. M. on 23 day of Oct, A.D. 19 96 and recorded Oct. 24, 19 96 in Records of Deeds

Book 1351 Pages 644-649

John McAdams Chancery Clerk
By Martha P. Longley D.C.

8016

Variance



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	27772	1010G-03-004.000	MISSORAM LLC (OWNER)	106 VAIL	WATCHUNG	NJ	7060
	27772	1010G-03-004.000	OLEN ANDERSON (AGENT)	2204 HWY 53	PERKINSTON	MS	39573
N			Adjacent Property Owners				
	27780	1010G-03-007.000	ALLISTON JOHN C IV & MIRANDA L	2422 COTTON DR	GULFPORT	MS	39507
	83920	1010H-02-037.000	ANDERSON LALLA JEAN	601 RED OAK DR	GULFPORT	MS	39507
	117864	1010G-03-002.006	BANKSON CLYDE B & SHARON B	2436 COTTON DR	GULFPORT	MS	39507
	117874	1010G-03-002.016	BAUGHMAN FRANK C & BRIDGET	2443 COTTON DR	GULFPORT	MS	39503
	117858	1010G-03-002.001	BRANDMEIER ANDREW J	2426 COTTON DR	GULFPORT	MS	39507
	117861	1010G-03-002.003	BROUSSARD GAIL K	2430 COTTON DR	GULFPORT	MS	39507
	26686	1010G-02-017.000	CARR GLORIA ANN -L/E-	2138 DRIFTWOOD DR	BILOXI	MS	39531
	27773	1010G-03-005.000	COAST COMMUNITY BANK	P O BOX 7588	GULFPORT	MS	39506
	127768	1010G-03-016.003	COAST COMMUNITY BANK	677 WASHINGTON LOOP	BILOXI	MS	39530
	115387	1010G-03-016.002	COMMUNITY BANK COAST	P O BOX 1227	BILOXI	MS	39533
N	125068	1010G-03-015.003	COMMUNITY BANK COAST	P O BOX 1227	BILOXI	MS	39533
	117867	1010G-03-002.009	DIXON JANICE	2442 COTTON DR	GULFPORT	MS	39507
	108058	1010G-02-019.001	FERNWOOD RETIREMENT PARK LLC	140 SOUTHERN CIR	GULFPORT	MS	39507
N	26683	1010G-02-019.000	FERNWOOD RETIREMENT PARK LLC	140 SOUTHERN CIR	GULFPORT	MS	39507
	27778	1010G-03-009.000	GEISELMAN JAMES & MARTHA -TRUSTEES-	808 DUDLEY ST GEISELMAN FAMILY IR	GULFPORT	MS	39501
	117868	1010G-03-002.010	GIDEON CARROLL W & CAROL D	2444 COTTON DR	GULFPORT	MS	39507
	117870	1010G-03-002.012	GOODMAN DARLENE M	2448 COTTON DR	GULFPORT	MS	39507
	117871	1010G-03-002.013	HARRIS CARSON & ELIZABETH	2449 COTTON DRIVE	GULFPORT	MS	39507
	102073	1010G-02-018.001	JONES USA & EDWARD A JR	2421 BURKE ST	GULFPORT	MS	39507
N	26684	1010G-02-018.000	JONES USA & EDWARD A JR	2421 BURKE ST	GULFPORT	MS	39507
	117875	1010G-03-002.017	JORDAN KATHRYN W	2441 COTTON DR	GULFPORT	MS	39507
	125066	1010G-03-015.001	LAKE WOODLAND PARTNERS LP	4499 LAKE CAROLINE DR	LAKE CHARLES	LA	70615
	117869	1010G-03-002.011	LATIMER KENNETH D	2446 COTTON DRIVE	GULFPORT	MS	39507
	117862	1010G-03-002.004	MCDONOUGH WILLIAM L JR	2432 COTTON DR	GULFPORT	MS	39507
	117865	1010G-03-002.007	MORRISON MARY HELEN	2438 COTTON DR	GULFPORT	MS	39507
	26691	1010G-02-016.000	NGUYEN MINH ETAL	2090 E PASS ROAD	GULFPORT	MS	39507
	83527	1010G-02-021.000	OSCEOLA PASS LLC	140 SOUTHERN CIR	GULFPORT	MS	39507
	27779	1010G-03-006.000	PAINE JAMES H & BETTY	2424 COTTON DR	GULFPORT	MS	39507
	117873	1010G-03-002.015	PETERSEN EVETT E	2445 COTTON DR	GULFPORT	MS	39507
	27776	1010G-03-010.000	RASKETT GARRETT FRANCIS & SARAH A	805 DUDLEY ST	GULFPORT	MS	39507
	26682	1010G-02-020.000	RICHARDSON INC	442 AZALEA RD	MOBILE	AL	36609
	117863	1010G-03-002.005	SALLOUM JENNIFER L	2434 COTTON DR	GULFPORT	MS	39507
	117876	1010G-03-002.018	SCHLOEGEL JUNE -L/E-	2439 COTTON DR	GULFPORT	MS	39507

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	117872	1010G-03-002.014	SMITH HOLLY W	2447 COTTON DR	GULFPORT	MS	39507
	107416	1010G-03-003.002	SPINDOCTOR PROPERTIES LLC	440 GREEN TEAL CT	BILOXI	MS	39531
N	106226	1010G-03-003.001	SPINDOCTOR PROPERTIES LLC	440 GREEN TEAL COURT	BILOXI	MS	39531
	27781	1010G-03-008.000	VASTERLING JOSEPH C & JANET K	2420 COTTON DR	GULFPORT	MS	39507
	117860	1010G-03-002.002	VILLA PROPERTIES LLC	3502 FARRINGTON CT	OCEAN SPRINGS	MS	39564
	117866	1010G-03-002.008	WILLIAMS JAMES A & BETTY L	2440 COTTON DR	GULFPORT	MS	39507
	20668	1010H-02-036.000	ZHANNA VENTURES LLC	15 LARKSPUR TRAIL	THE WOODLAND	TX	77382

RE: Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

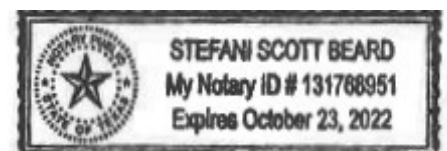
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB038:

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-business), Ward 3

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB038

Hearing Date: March 17, 2022

Current Zoning/Use: R-B / Single-family residence

Legal: Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests variances in order to build an attached front porch. Specifically, the applicant requests; 1) a 15-foot variance to allow for a 10-foot front yard setback where 25 feet is required.

- (a) The applicant notes that the house was built in 1930, and may be considered a "safety concern." There are no special conditions or circumstances specific to this piece of property; other residence with properties of similar square footage would be able to build a porch onto their dwelling with a setback of 25 feet in their front yard.
- (b) The applicant notes a change in the ordinance regarding setbacks, and portions of the property being considered "grandfathered in." In review, the applicant bought the dwelling after new setback ordinances had been established, knowing there were additional front yard setbacks the applicant would be required to meet henceforth. Ultimately, the special conditions and circumstances were results from the action of the applicant.
- (c) The applicant makes comments about the current porch being unsafe, but fails to mention that the hardship is created by the physical character of the property. In this case, the hardship is not created by the physical character of the property.
- (d) No other property in the neighborhood has a front porch encroachment. This case would set a precedence for the rest of the area. The applicant stating that the porch would be an asset to curb appeal for the neighborhood does not apply to their concerns for safety.
- (e) This dwelling is already considered a nonconforming structure for the R-B zoning district; because this dwelling is already considered nonconforming there should be no expansion allowed on the site. As proposed, this request would be a special privilege to the neighborhood and will encourage additional permits.
- (f) This property is zoned R-B, a single-family dwelling is permitted in this zoning district.

EXECUTIVE SUMMARY

The applicant has not satisfied the ordinance requirements by meeting the six hardship conditions set by the City of Gulfport, in order to grant variances. Further, not only is this structure nonconforming to the district and should not be expanded on, but no family dwelling in the neighborhood has a front porch encroachment added to their dwelling; this request should be denied.

Any approval should consider these conditions:

1. Approval grants a 15-foot variance to allow a 10-foot front yard setback where 25 feet are required.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 03/07/2022.

Public Works: No conditions. Memo dated 03/07/2022.

Traffic and Safety: No conditions. Memo dated 02/28/2022.

Technical Report

VARIANCE

Building Code Services: No conditions. Memo dated 02/28/2022.

GIS: No conditions. Memo dated 03/03/2022.

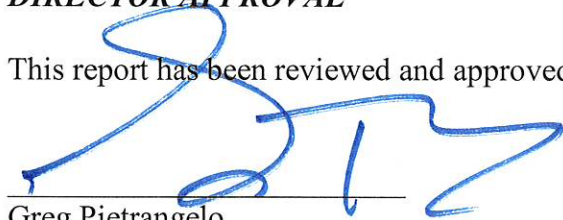
Police Department: No conditions. Memo dated 03/02/2022.

Fire Department: No conditions. Memo dated 02/28/2022.

City Arborist: No conditions. Memo dated 03/01/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

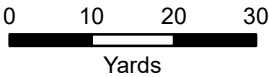
- Site
- Street
- Parcels
- Buildings

Zoning

- B-2 - General Business District
- R-2 - Single Family Residence District (Medium Density)
- R-B - Residence-Business District

Site Information

0911C-01-178.000
Zoning: R-B (Residence-Business District)
Size: 5,086 square feet
Flood: AE



1 inch = 70 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

\$75.00



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 2203ZB038Date Received: 11/31/2022

Receipt #: _____

Received By: SupZoning: R-BWard: 3 Flood: 0.27/AFSize: 5,086 sqft

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	9	1	1	0

 -

0	1

 -

1	7	8

 .

0	0	0

Address of Property Involved: 2214 Hewes Ave Gulfport 39507

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: _____

GENERAL DESCRIPTION OF REQUEST:

I AM ASKING FOR A 15 FEET FRONT YARD SET BACK
FOR 10 FEET SET BACK WHERE 25 FEET IS REQUIRED
FOR A FRONT PORCH

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Printed Name Of Owner

FITZROY HUNTER

Mailing Address

2212 HEWES AVE

City

Gulfport

State

MS

Zip code

39507

Home Phone

228-324-9755

Work/Cell Phone

Email

FITZ6190@hotmail.com

Printed Name Of Agent

Mailing Address

City

State

Zip code

Home Phone

Work/Cell Phone

Email

Signature Of Owner

Fitzroy Hunter

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

☐

SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

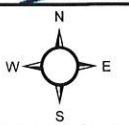


Area Map

Printed 1/31/2022



- Addresspoints
- ▭ Parcels



1 inch = 20 feet

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И

Answers to the six questions on the Application for Variance

Parcel#0911C-01-178-000 Fitzroy Hunter

1. The structure was built in 1930; the porch is small and may be considered a safety concern. When stepping down, there is no support, and the current steps have deferred repairs that will be addressed should the variance be granted.
2. In prior years the setback has changed, and a little over half of the porch met the grandfathered requirements. I intend to increase the porch to coincide with the initial setback.
3. If the variance is approved, this porch will become a special needs accessible ramp with safety rails included. In its current condition, the porch could be considered a safety concern with no railings and deteriorating steps. Additionally, the extension of the porch would allow more ease of access.
4. The setback as it stands now limits viable access and presents a safety concern. The porch expansion would make this property more desirable and increase the curb appeal for the neighborhood and community.
5. Granting this variance would not be considered any special privileges as the structure already has a porch covering most of the house; as it stands now, it is just not concurrent with the growth and development witnessed within the City of Gulfport.
6. In my opinion, the request is within its permissible right, as the setback when constructed initially was 10 feet and over the years has increased to 25. The portion of the porch built over 80 years ago complied; my quest is to bring the new portion in compliance with the grandfathered setback.



Covenant Affidavit

I, Fitzroy Hunter, being owner or agent of the property 2212 Hewes Ave.
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

Fitzroy Hunter 01-31-2022
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 31st day of JANUARY, 20 22

[Signature]
Notary Public



Commission Expiration



SCANNED



John Hunter 1st Judicial District
Instrument 2019 10530 D -J1
Filed/Recorded 12/20/2019 11:44 A
Total Fees \$ 15.00
4 Pages Recorded

Prepared By & Please Return
After Recording To:

ABOVE THIS LINE FOR OFFICIAL USE ONLY

B. Bronson Tabler, P.A.
254 South Front Street, Suite 103
P.O. Box 7116
Tupelo, Mississippi 38802
Tel: (662) 840-8400
Fax: (662) 840-8414
Email: bronson@tablerlaw.com

INDEXING INSTRUCTIONS: Lot 45, Lot 46, Lot 47 and Lot 48,
Block 9, Hewes Addition, First Judicial District, Harrison County,
Mississippi

Address Reference: 2214 Hewes Avenue, Gulfport, MS
PPIN / Parcel Reference: 30201 / 911C-01-176.000
30202 / 0911C-01-177.000
30203 / 0911C-01-178.000

WARRANTY DEED

GRANTOR(S):

GRANTEE(S):

STRANGE I, LLC, A DISSOLVED MISSISSIPPI
LIMITED LIABILITY COMPANY, AND
TERRIE STRANGE
2075 MCCULLOUGH BOULEVARD
TUPELO, MISSISSIPPI 38804
TELEPHONE: (662) 842-7201

FITZROY HUNTER

2212 HEWES AVENUE
GULFPORT, MISSISSIPPI 39507
TELEPHONE: (228) 324-9755

For and in consideration of the sum of Ten Dollars and Zero Cents (\$10.00) and other good and valuable consideration, the Grantor(s) STRANGE I, LLC, A DISSOLVED MISSISSIPPI LIMITED LIABILITY COMPANY, AND TERRIE STRANGE, do hereby grant, bargain, sell, convey and warrant unto FITZROY HUNTER, the following described real property located and situated in HARRISON COUNTY, MISSISSIPPI, and being more particularly described as follows, to-wit:

INDEXING INSTRUCTIONS:

Lot 45, Lot 46, Lots 47 and Lot 48, Block 9, Hewes Addition, First Judicial District, Harrison County, Mississippi.

Lots 45 and 46 in Block 9, Hewes Addition to the City of Gulfport, Harrison County, Mississippi, as per the Official Map or Plat thereof on file and of Record in Copy Plat Book 5A at Page 476B in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi, together with all improvements thereon.

ALSO:

Lots 47 and 48 less South 100 feet, Block 9, Hewes Addition, as per the Map or Plat thereof on file and of Record in Copy Plat Book 5A at Page 476B in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

AND ALSO:

The South 100 feet of Lots 47 and 48, Block 9, Hewes Addition, being a Subdivision according to the Map or Plat on file and of Record in Copy Plat Book 5A at Page 476B in the Office of the Chancery Clerk in the First Judicial District of Harrison County, Mississippi.

Grantor and Grantee by execution and acceptance acknowledge that the preparer of this Instrument does not certify title to the subject property or the legal description herein as said Instrument is being prepared without the benefit of either a title search or survey and is being prepared solely based upon information provided by the Grantor and/or Grantee herein.

SOURCE DEED(S): Being a part and parcel of that same property acquired by Grantor(s) herein by virtue of Warranty Deed recorded as Instrument Number 200519138-D-J1.

**** Although Strange I, LLC, is an administratively dissolved Limited Liability Company as of the date of this Warranty Deed, pursuant to §79-29-809(2) Mississippi Code Annotated 1972, "Upon the dissolution of a limited liability company, the persons winding-up the limited liability company's affairs may, in the name of, and for and on behalf of, the limited liability company... dispose of and convey the limited liability's property... all without affecting the liability of members and managers and without imposing liability on a liquidating trustee".**

Witness the signature of the Grantor(s) on this the 13 day of November 2019.



[Signature]
TERRIE STRANGE, MANAGER
STRANGE I, LLC

[Signature]
TERRIE STRANGE

STATE OF MISSISSIPPI

COUNTY OF Pontotoc

Personally appeared before me, the undersigned authority at law in and for the aforesaid County and State, the within named **TERRIE STRANGE**, who acknowledged that she is the **MANAGER** of **STANGE I, LLC**, a Mississippi Limited Liability Company that was administratively dissolved on or about December 5, 2011, pursuant to *Mississippi Code Annotated* §79-29-809(2) and that for and on behalf of said entity and in said capacity she signed, sealed and delivered the above and foregoing **WARRANTY DEED** on the day and year therein mentioned as her free and voluntary act and deed after having first been duly authorized by said entity to do so.



My Commission Expires:

May 12, 2023

Under my hand and official seal of office, this the 13 day of November 2019.

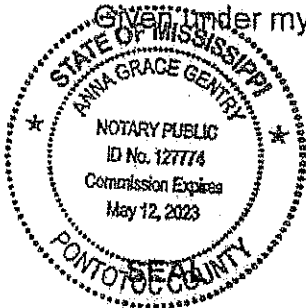
[Signature]
NOTARY PUBLIC

STATE OF MISSISSIPPI

COUNTY OF Pontotoc

Personally appeared before me, the undersigned authority at law in and for the aforesaid County and State, the within named **TERRIE STRANGE**, who acknowledged that she signed, sealed and delivered the above and foregoing **WARRANTY DEED** on the day and year therein mentioned as her free and voluntary act and deed.

Given under my hand and official seal of office, this the 13 day of November 2019.



Anna Grace Gentry
NOTARY PUBLIC

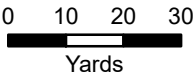
My Commission Expires:

May 12, 2023



Legend

- Site
- Adjacent Properties
- Street
- Railroad
- Buildings



1 inch = 100 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	30203	0911C-01-178.000	HUNTER FITZROY (OWNER)	2212 HEWES AVE	GULFPORT	MS	39507
N	30201	0911C-01-176.000	HUNTER FITZROY	2212 HEWES AVE	GULFPORT	MS	39507
N	30202	0911C-01-177.000	HUNTER FITZROY	2212 HEWES AVE	GULFPORT	MS	39507
N	30183	0911C-01-179.000	HUNTER FITZROY	2212 HEWES AVE	GULFPORT	MS	39507
N			Adjacent Property Owners				
	30182	0911C-01-180.000	ALFATA YASSER	1773 POPPS FERRY RD	BILOXI	MS	39532
	30199	0911C-01-174.000	BARRINGTON DEVELOPMENT LLC	660 BAY COVE DR	BILOXI	MS	39532
	30200	0911C-01-175.000	BELL ROBERT L	414 TERRY PARKWAY	GRETN	LA	70056
	30231	0911D-03-029.000	BENNETT ARLENA	612 23RD ST	GULFPORT	MS	39506
	142361	0911D-03-032.001	CONTRACTING 24-7 LLC	P O BOX 6496	GULFPORT	MS	39506
	30212	0911C-01-208.000	CONTRACTING 24-7 LLC	1390 29TH AVE STE A	GULFPORT	MS	39501
	30211	0911D-03-056.000	FAGAN RANDOLPH F & JOEDNA R	9108 W SIMMONS BAYOU	OCEAN SPRINGS	MS	39564
N	30184	0911C-01-181.000	HARRISON CO				0
N	30185	0911C-01-182.000	HARRISON CO				0
	30232	0911D-03-030.000	HEBERT CHRIS	11502 STANTON CIRCLE	GULFPORT	MS	39503
	64199	0911C-01-209.000	LAWSON DICK	2301 HEWES AVE	GULFPORT	MS	39501
	30247	0911C-01-130.000	PASQUA RAYMOND J	164 GOLDEN MEADOW DR	COVINGTON	LA	70433
N	30249	0911C-01-131.000	PASQUA RAYMOND J	164 GOLDEN MEADOW DR	COVINGTON	LA	70433
N	30248	0911C-01-129.000	PASQUA RAYMOND J	164 GOLDEN MEADOW DR	COVINGTON	LA	70433
	30213	0911C-01-207.000	WHALEN MICHAEL W & BRYAN (SON)	528 26TH ST	GULFPORT	MS	39501

RE: Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

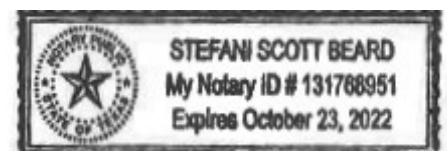
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB040:

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB040

Hearing Date: March 17, 2022

Current Zoning/Use: T4L / Single-family home

Legal: Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to exceed solid fence height restrictions. Specifically, the applicant requests a solid 8-foot privacy fence where 6 feet is the limit unless the top 2 feet is 50% transparent.

Of important note, this fence was built without permit and a complaint filed 7/20/21. The applicant filed for variance 2109ZB140 and never attended the meetings held on their behalf. Finally, the city took the applicant to court for non-compliance and the judge required the application for variance be completed.

- (a) The applicant built the fence without permit and now claims a hardship based on the railroad tracks. Had the applicant built the fence within parameters of the ordinance there would be privacy. As presented a hardship has not been shown.
- (b) In the application it is cited that the reason to exceed the allowable height limit is due to the grade difference from ground level and street level. This scenario is common to all properties in the city, as a house is required to be built 1-foot above the crown of the road. Lack of permit for the newly built non-conforming fence is the fault of the applicant.
- (c) An ordinance change is needed, as it would be more appropriate in this circumstance. This makes this hardship requirement unmet by city ordinance standards.
- (d) Even though the neighboring properties have wood fences and a chain link fence, which could have been built, prior to the new Fence Ordinance that passed in 2017, no permits could be found and height could not be determined.
- (e) Although some in the neighborhood have fences that may not be compliant with the fencing section of the zoning ordinance, granting this variance will give the applicant special privileges.
- (f) This property is zoned T4L, and a fence is a permitted use and structure.

EXECUTIVE SUMMARY

The ordinance has provisions to allow 8-foot fences if the top 2 feet are 50% transparent. As the applicant never attended their original variance request, and the city had to take them to court to create compliance, and with the applicant not providing the 6 hardship criteria as required by ordinance, the request should be disallowed.

Any approval should consider these conditions:

1. A variance grants a solid 8-foot privacy fence where 6 feet is the limit.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 3/7/2022.

Public Works: No conditions. Memo dated 3/7/2022.

Traffic and Safety: No conditions. Memo dated 2/28/2022.

Building Code Services: No conditions. Memo dated 2/28/2022.

p. 12

Technical Report

VARIANCE

GIS: No comments as of 3/10/22.

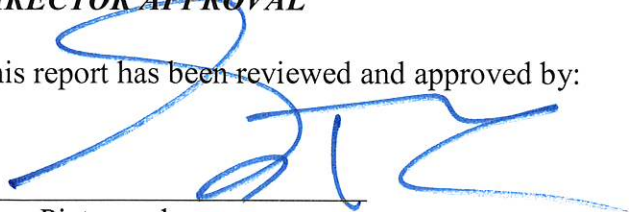
Police Department: No conditions. Memo dated 3/2/2022.

Fire Department: No conditions. Memo dated 2/28/2022.

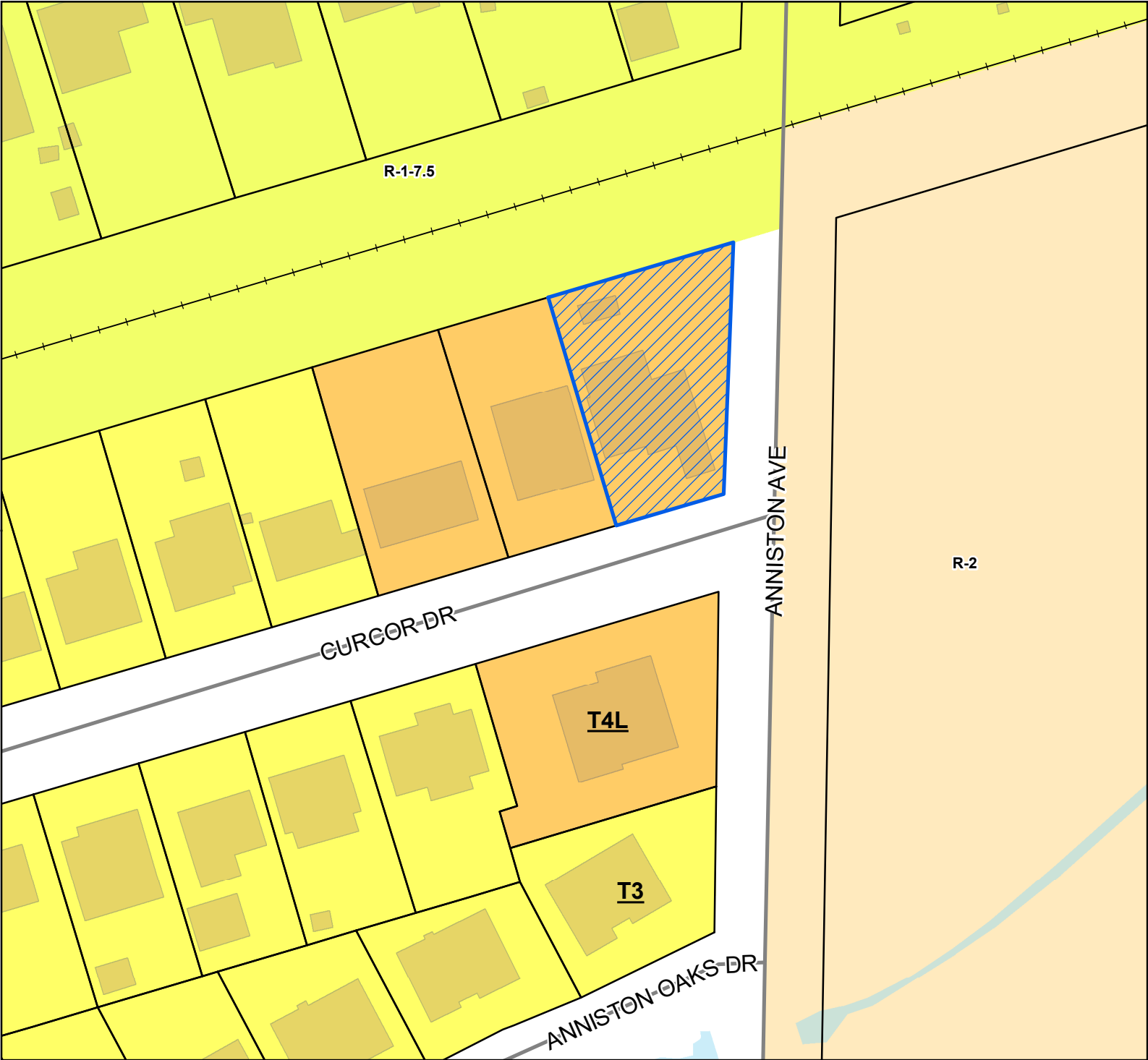
City Arborist: No conditions. Memo dated 3/1/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department



Legend

- Site
- Street
- Railroad
- Parcels
- Buildings
- Water Features

Smart Code

- T4L
- T3

Zoning

- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

Site Information

1010N-02-001.000
Zoning: T4L (General Urban Zone "Limited")
Size: 10,593 square feet
Flood: X

0 10 20 30
Yards

1 inch = 75 feet

DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 22032B 040

Date Received: 8/1/22

Receipt #: _____

Received By: MW

Zoning: T4L

Ward: _____ Flood: _____

Size: _____

(If necessary, use separate sheet of paper)

TAX PARCEL #

1	0	1	0	N	-	0	2	-	0	0	1	•	0	0	0
					-			-				•			
					-			-				•			

Address of Property Involved: 3331 Curcor Drive Gulfport, Ms

Lot(s) 11, 12, Block(s) 11, Subdivision Coward Rd Homes

General Location: northwest corner of Curcor Dr and Anniston Ave.

GENERAL DESCRIPTION OF REQUEST:

Variance for 8 ft privacy fence for backyard

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Joseph A. McCormick, Jr
Printed Name Of Owner

21098 Pineville Rd.
Mailing Address

Long Beach, Ms 39560
City State Zip code

228-697-1475
Home Phone Work/Cell Phone

Jmccor3112@aol.com
Email

X Joseph A. McCormick
Signature Of Owner

Printed Name Of Agent

Mailing Address

City State Zip code

Home Phone Work/Cell Phone

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



2331 Curcor Drive, Gulfport, MS

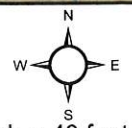




Area Map

Printed 1/25/2022

- Addresspoints
- ▭ Parcels



1 inch = 40 feet

DATA DISCLAIMER:
 All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness or adequacy of the information contained on this map are expressed or implied.

Fence Variance Request:

I am requesting a fence variance at 2331 Curcor Drive for installation of an 8ft wooden privacy fence to replace the 6ft privacy fence installed after 2005. The property has been owned and maintained by my family since 1958.

The elevation at Anniston Avenue at the railroad crossing and its sidewalk is so much higher than my property elevation that a 6ft privacy fence does not provide privacy and safety. Passengers traveling in cars and persons on the sidewalk can see clearly into my back yard. The grade of the sidewalk sits well above my property elevation, and as a result persons walking along Anniston Avenue, have stood and watched my family in the backyard when the height was 6ft. There have been multiple instances of persons just standing on the sidewalk and watching my family during the day and night. The additional 2 feet height on the fence prevents that from happening and resolves that significant safety issue. The 8ft variance will allow me to gain the privacy and safety expected when installing a privacy fence. The 8ft fence will also provide a reduction in light and noise from the railroad track.

I did not cause this situation as I did not have any role in the elevation of Anniston Avenue and the sidewalk.

Fence Variance Approval Request

Item #1: The request for a fence variance for an 8 foot, wood privacy fence creates no safety issues. This property backs up to the railroad on the north side and along Anniston Avenue on the east side. The fence will replace the 6 foot privacy fence destroyed during the hurricane that did not adequately provide privacy and a sound/light barrier to the property due to the extreme elevation at Anniston Avenue.

Item #2: Visual impact on adjacent properties, streets, alleyways, and water bodies is not affected. The 8 foot wood privacy fence replaces a 6 foot wood privacy fence and is visually appealing. The extreme grade difference between the ground level and street level on Anniston Avenue is why the 8 foot fence is needed. The 6 foot privacy fence did not provide adequate privacy. The street elevation at Anniston Avenue enabled traffic, and persons simply walking on the sidewalk to look down into the backyard of the property with the 6 foot privacy fence. Privacy fences are visually appealing and purchased to have a positive visual impact. The 8 foot fence will prevent traffic and walking persons from seeing into the back yard so this is a positive visual impact. Multiple neighbors have commented on the positive impact.

Item # 3: In regard to design in relation to other structures on the same lot, adjacent properties, and the neighborhood, I note that the property next door, 2329 Curcor Drive, has already received a variance to install the same fence design and height because there is no light or sound buffer from the railroad tracks. There are multiple 8ft other fences in the neighborhood.

Item #4: N/A

Item # 5 Screening, buffering or separation of any nuisance or hazardous feature:

The grade of the sidewalk sits well above my property elevation, and as a result the persons walking along Anniston Avenue can simply look over the top of a 6 foot fence and see into the yard. This deeply concerns me. There have been multiple instances of persons just standing on the sidewalk and watching my family in the backyard. This has happened during the day and night. The additional 2 feet height on the fence prevents that from happening and resolves that significant safety issue.

Passengers in vehicles can also see clearly over a 6ft fence into the back yard as they cross the railroad track. The 8ft fence resolves that issue, as well as reducing the lights and sounds from vehicle traffic.

Item # 6: Compatibility with adjacent properties was addressed in number #3 when I noted that the property next door, 2329 Curcor Drive, has already received a variance to install the same fence design and height and that there are multiple 8ft other fences in the neighborhood.



1st Judicial District
Instrument 2009 4808 D J1
Filed/Recorded 7 10 2009 3 39 P
Total Fees 13.00
3 Pages Recorded



Prepared by:
Gulf Title Company, Inc.
Kenneth L. Jones #3220
P. O. Box 280
Gulfport, MS 39502
(228) 865-0011
File #092443

Return to:
Gulf Title Company, Inc.
P. O. Box 280
Gulfport, MS 39502
(228) 865-0011

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, ROSEMARY L. McCORMICK REVOCABLE TRUST, 2331 CURCOR DRIVE, GULFPORT, MS 39507, 228-697-1475, does hereby sell, convey and warrant unto JOSEPH A. McCORMICK, JR. 2331 CURCOR DRIVE, GULFPORT, MS 39507, 228-697-1475, the following described land and property being located in First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

P. O. Box 280
Gulfport, MS 39502
(228) 865-0011
File #092443

Gulfport, MS 39502
(228) 865-0011

STATE OF MISSISSIPPI

COUNTY OF HARRISON

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, ROSEMARY L. McCORMICK REVOCABLE TRUST , 2331 CURCOR DRIVE, GULFPORT, MS 39507, 228-697-1475, does hereby sell, convey and warrant unto JOSEPH A. McCORMICK, JR. 2331 CURCOR DRIVE, GULFPORT, MS 39507, 228-697-1475, the following described land and property being located in First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lots Eleven (11) and Twelve (12) Block Eleven (11) of COWAN ROAD HOMES SUBDIVISION, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 18 at Page 1 thereof, reference to which is hereby made in aid of and as a part of this description, less a 48 foot strip off the West side of the above described property.

The above Grantor is surviving spouse of Joseph A. McCormick, a/k/a Joseph A. McCormick, Sr., deceased, verification of his death is attached hereto as Exhibit "A".

THIS CONVEYANCE is subject to any and all recorded restrictive covenants, rights-of-way and easements applicable to subject property, and subject to any and all prior recorded reservations, conveyances and leases of oil, gas and minerals by previous owners.

TAXES for the current year have been pro-rated as of this date and are hereby assumed by the Grantee herein.



Covenant Affidavit

I, Janie B McCormick, being owner or agent of the property 2331 Curcor Drive
PRINT NAME PRIMARY ADDRESS OR PARCEL
Gulfport, MS

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

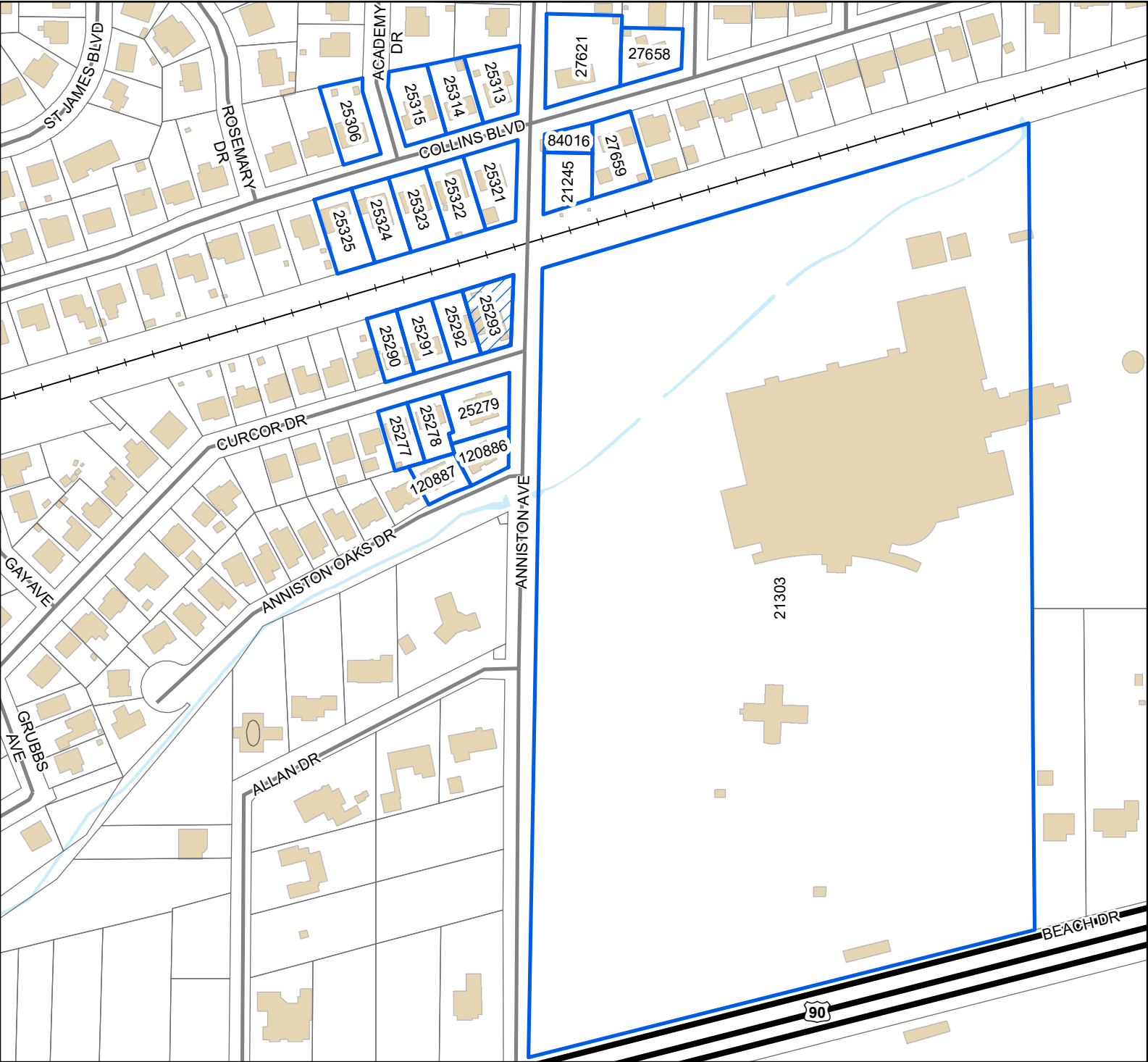
Janie B. McCormick 2-1-2022
Signature Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1 day of February, 2022

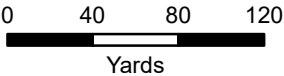
Matilda Welch
Notary Public





Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Railroad
- Buildings
- Water Features



1 inch = 270 feet



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Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	25293	1010N-02-001.000	MCCORMICK JOSEPH A JR	2331 CURCOR DR	GULFPORT	MS	39507
	25293	1010N-02-001.000	JOSEPH A McCORMICK JR	21098 PINEVILLE RD	LONG BEACH	MS	39560
N			Adjacent Property Owners				
	25325	1010N-01-125.000	ADAMSON CHARLOTTE	2212 COLLINS BLVD	GULFPORT	MS	39507
	25323	1010N-01-127.000	BAILEY JOYCE F	2300 COLLINS BLVD	GULFPORT	MS	39507
	25313	1010N-01-023.000	BROWN DUANE F	2305 COLLINS BLVD	GULFPORT	MS	39507
	25322	1010N-01-128.000	BURCH ERIN U	2302 COLLINS BLVD	GULFPORT	MS	39507
	25279	1010N-02-052.000	BURGER SHIRLEY	2332 CURCOR DR	GULFPORT	MS	39507
	25291	1010N-02-003.000	BUSH MERRICK MARK	2327 CURCOR DRIVE	GULFPORT	MS	39507
	120886	1010N-02-054.001	CHAPMAN HERBERT D	2355 ANNISTON OAKS DR	GULFPORT	MS	39507
	120887	1010N-02-054.002	CORBAN LINELL S	2351 ANNISTON OAKS DR	GULFPORT	MS	39507
	84016	1010O-01-043.000	GASTON FREDERICK W SR	2400 COLLINS BLVD	GULFPORT	MS	39507
N	27659	1010O-01-045.000	GASTON FREDRICK W & MICHIKO K	2400 COLLINS BLVD	GULFPORT	MS	39501
	25290	1010N-02-004.000	HIMMELBERGER LOC	2347 ANNISTON OAKS DRIVE	GULFPORT	MS	39507
	25278	1010N-02-051.000	KNIGHT ROBERT W	2330 CURCOR DR	GULFPORT	MS	39507
	27658	1010O-01-036.000	MANKER JAMES L & SALLY J	2403 COLLINS BLVD	GULFPORT	MS	39507
	25293	1010N-02-001.000	MCCORMICK JOSEPH A JR	2331 CURCOR DR	GULFPORT	MS	39507
	27621	1010O-01-037.000	MELVIN BRYAN A & TERESSA L	2401 COLLINS BLVD	GULFPORT	MS	39507
N	21245	1010O-01-044.000	MISS POWER CO				0
	25321	1010N-01-129.000	PARKER WILLIAM E	2304 COLLINS BOULEVARD	GULFPORT	MS	39507
	25277	1010N-02-050.000	RICHARDSON RICHARD -L/E-	1081 GRANTHAM RD	SUMRALL	MS	39482
N	21303	1010O-02-054.000	U S GOVT				0
	25314	1010N-01-024.000	URIBE ANGEL VEGA	2303 COLLINS BLVD	GULFPORT	MS	39507
	25292	1010N-02-002.000	WEBB LYDIA M	2329 CURCOR DR	GULFPORT	MS	39507
	25315	1010N-01-025.000	WILSON BYRON & MARY	2720 PALMER DR J6	GULFPORT	MS	39507
	25324	1010N-01-126.000	WILSON DOREEN ANN-MARIE	2214 COLLINS BLVD	GULFPORT	MS	39507
	25306	1010N-01-034.000	YOUNG ELIZABETH A -TRUST-	2213 COLLINS BLVD	GULFPORT	MS	39507

RE: Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

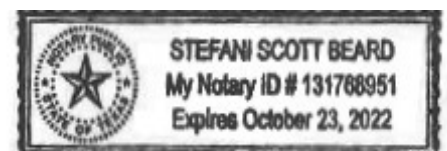
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB041:

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910I-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB041

Hearing Date: March 17, 2022

Current Zoning/Use: R-2 / Single-family house

Legal: Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910I-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

This request is to add a non-conforming accessory structure on a parcel with a single-family home. The applicant requests 2 variances for a detached accessory structure: 1) a variance of 1,200 square feet to allow an accessory structure to be 1,800 square feet where 600 square feet is the maximum area allowed by right; 2) a variance of 11 feet to allow a height of 25 feet where 14 feet is the maximum height limit for an accessory structure.

- (a) The applicant notes that the special circumstances exists due to the condition of the home not being suitable for the construction of an attached garage. However, the requirement for this section is how is the land unique compared to the other lands and buildings in the district. It is not unique as the neighboring properties have conforming accessory structures.
- (b) In the application, it is mentioned that the special conditions are the result of the previous homeowner and not the applicant. The applicant purchased the home knowing the current condition of the existing structure. Further, the massive accessory structure is the fault of the owner as it could be an attachment.
- (c) The statement provided by the applicant does not address this section of the variance request. Beyond it being the choice of the applicant to purchase a dilapidating structure, an ordinance change may offer reasonable solutions to the size and height issues.
- (d) Neighboring properties that also abut the same commercial parcels meet the accessory structure ordinance.
- (e) Granting this variance would provide special privileges and set a precedence as no other properties on that block have accessory structures that do not comply with the City ordinance.
- (f) This property is zoned R-2, and a single-family home with one accessory structure are allowed by right.

EXECUTIVE SUMMARY

The city changed the accessory building regulations in 2018 with the intent of guiding accessory structures. However, all hardships are required when considering variances. Upon staff review of the submitted application and site map, the 6 hardship criteria that has not been provided do not meet merit; therefore, the request should be disallowed.

Any approval should consider these conditions:

- 1. Approval grants a variance of 1,200 square feet to allow a 1,800 square-foot accessory structure where 600 square feet is the limit.
- 2. Approval grant a variance of 11 feet to allow a 25-foot height for an accessory structure where 14 feet is the height limit.
- 3. All construction shall comply with Building Codes. Provide construction plans and possibly engineered plans pending design.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 3/7/2022.

Public Works: No conditions. Memo dated 3/7/2022.

Technical Report

VARIANCE

Traffic and Safety:

No conditions. Memo dated 2/28/2022.

Building Code Services:

All construction shall comply with Building Codes. Provide construction plans and possibly engineered plans pending design. Memo dated 2/28/2022.

GIS:

No conditions. Memo dated 3/3/2022.

Police Department:

No conditions. Memo dated 3/2/2022.

Fire Department:

No conditions. Memo dated 2/28/2022.

City Arborist:

No conditions. Memo dated 3/1/2022.

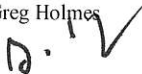
DIRECTOR APPROVAL

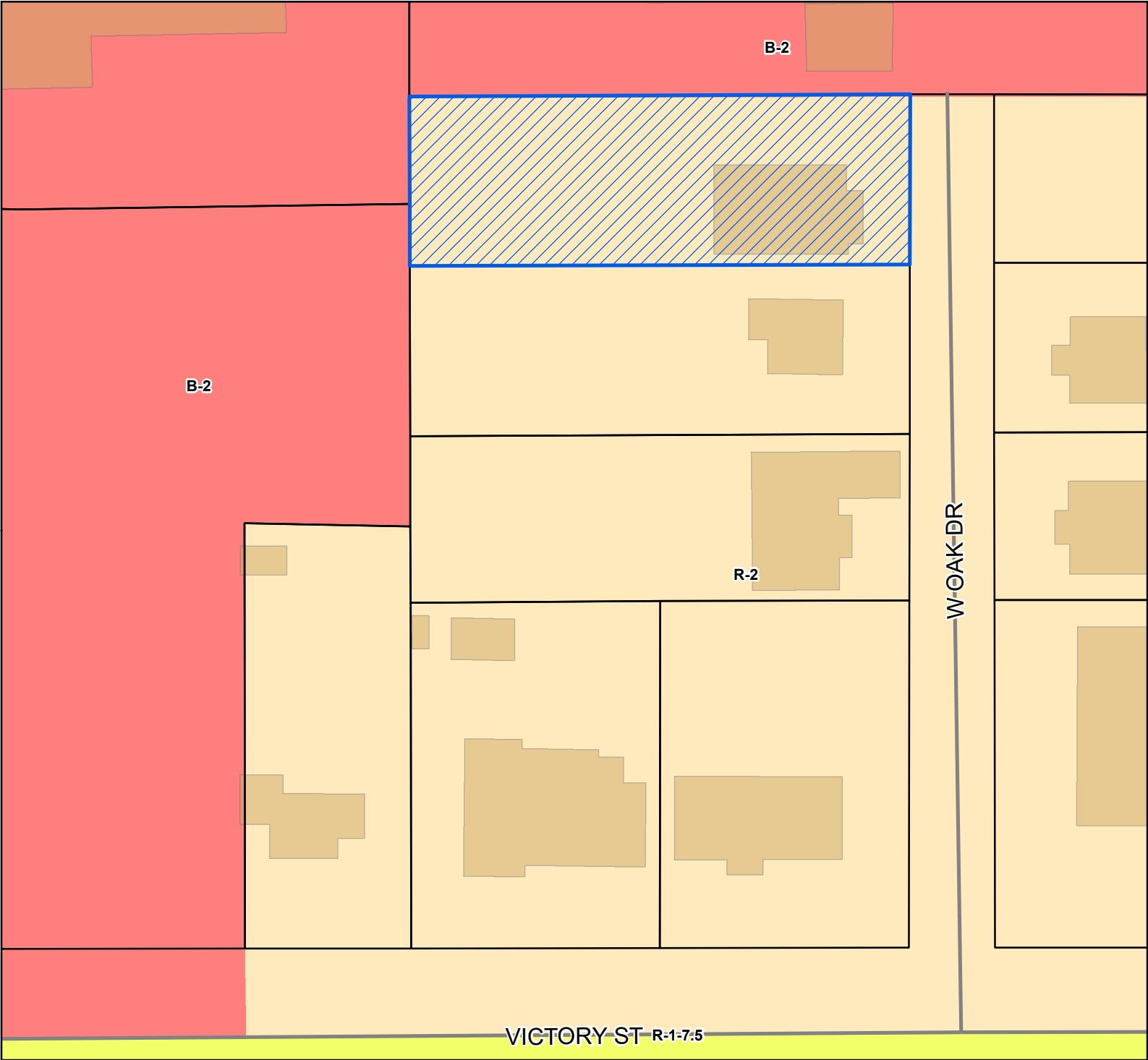
This report has been reviewed and approved by:



Greg Pietrangelo

Director of Urban Development Department





Legend

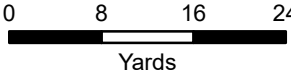
- Site
- Street
- Parcels
- Buildings

Zoning

- B-2 - General Business District
- R-1-7.5 - Single Family Residence District (Low Density)
- R-2 - Single Family Residence District (Medium Density)

Site Information

0910I-03-025.000
Zoning: R-2 (Single-family residence districts)
Size: 11,027 square feet
Flood: X



1 inch = 50 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 22032B041Date Received: 2/1/22

Receipt #: _____

Received By: CLZoning: R-2Ward: 2 Flood: XSize: 14,027 ft²

(If necessary, use separate sheet of paper)

TAX PARCEL #

0	9	1	0	I

 -

0	3

 -

0	2	5

 .

2	0	0

Address of Property Involved: 621 W Oak Drive

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: Courthouse Rd to Victory east to W Oak Drive**GENERAL DESCRIPTION OF REQUEST:**1800 sqft building variance where 600 is allowed11 feet height variance where 14 feet is allowed**OWNERSHIP AND CERTIFICATION:**

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

Pelican Homes, LLC

Printed Name Of Owner

16 Rivers Bend Drive

Mailing Address

Gulfport MS 39507

City State Zip code

228-596-4855

Home Phone

Work/Cell Phone

rmars23@gmail.com

Email

Signature Of Owner

AGENT

Jonathan Marshall

Printed Name Of Agent

57 51st Street

Mailing Address

Gulfport MS 39507

City State Zip code

228-697-7104

Home Phone

Work/Cell Phone

Jonathan.mars23@gmail.com

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.

**SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.**

This page must be completed if the property or properties involved have more than one owner. All persons listed as owners to the property or properties listed on page one must complete and sign this part of the application.

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or authorized to act as the owner's agent for herein described request.

NAME OF OWNER (PRINT)

ELIZABETH MARSHALL

ADDRESS (STREET, CITY, STATE, ZIP CODE)

16 Rivers Bend Dr

PHONE # (H)

(WK/CELL)

2286977105

TAX PARCEL NUMBER(S) OWNED

09101 - 03 - 025.000

SIGNATURE:

Elizabeth Marshall

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H)

(WK/CELL)

TAX PARCEL NUMBER(S) OWNED

SIGN:

NAME OF OWNER (PRINT)

ADDRESS (STREET, CITY, STATE, ZIP CODE)

PHONE # (H)

(WK/CELL)

TAX PARCEL NUMBER(S) OWNED

SIGNATURE:

(Use additional forms as needed)

IN CASES OF MULTIPLE APPLICANTS, PLEASE IDENTIFY THE PERSON WHO WILL BE ACTING AS YOUR SPOKES

PERSON/AGENT FOR YOU:



Michael Watson

SECRETARY OF STATE

This is not an official certificate of good standing.

Name History

Name	Name Type
Pelican Homes, LLC	Legal

Business Information

Business Type:	Limited Liability Company
Business ID:	857488
Status:	Good Standing
Effective Date:	06/29/2004
State of Incorporation:	Mississippi
Principal Office Address:	16 Rivers Bend Dr Gulfport, MS 39507

Registered Agent

Name
Richard V Marshall
13358 John Road
Gulfport, MS 39503

Officers & Directors

Name	Title
Elizabeth Marshall 16 Rivers Bend Dr Gulfport, MS 39507	Manager
Marshall, Richard V. 16 Rivers Bend Drive Gulfport, MS 39507	President

Pelican Homes, LLC
16 Rivers Bend Drive
Gulfport, MS 39507

January 29, 2022

City of Gulfport Planning Department
Attention: Greg Holmes
24th Ave, Hardy Building
Gulfport, MS 39501

Re: Variance request to Parcel ID 0910I-03-025.000,

Dear Greg,

Please be advised, Jonathan Marshall shall act as Agent(s) on our behalf to the Planning & Zoning Board and City Council request for rezoning.

Attached: Warranty Deed

If you have any questions, please let me know.

Sincerely,



Rick Marshall
President

STATE OF MISSISSIPPI
COUNTY OF HARRISON

GIVEN under my hand and official seal this the 1st day of February, 2022.

(S E A L)


NOTARY PUBLIC

My Commission Expires:

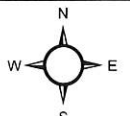
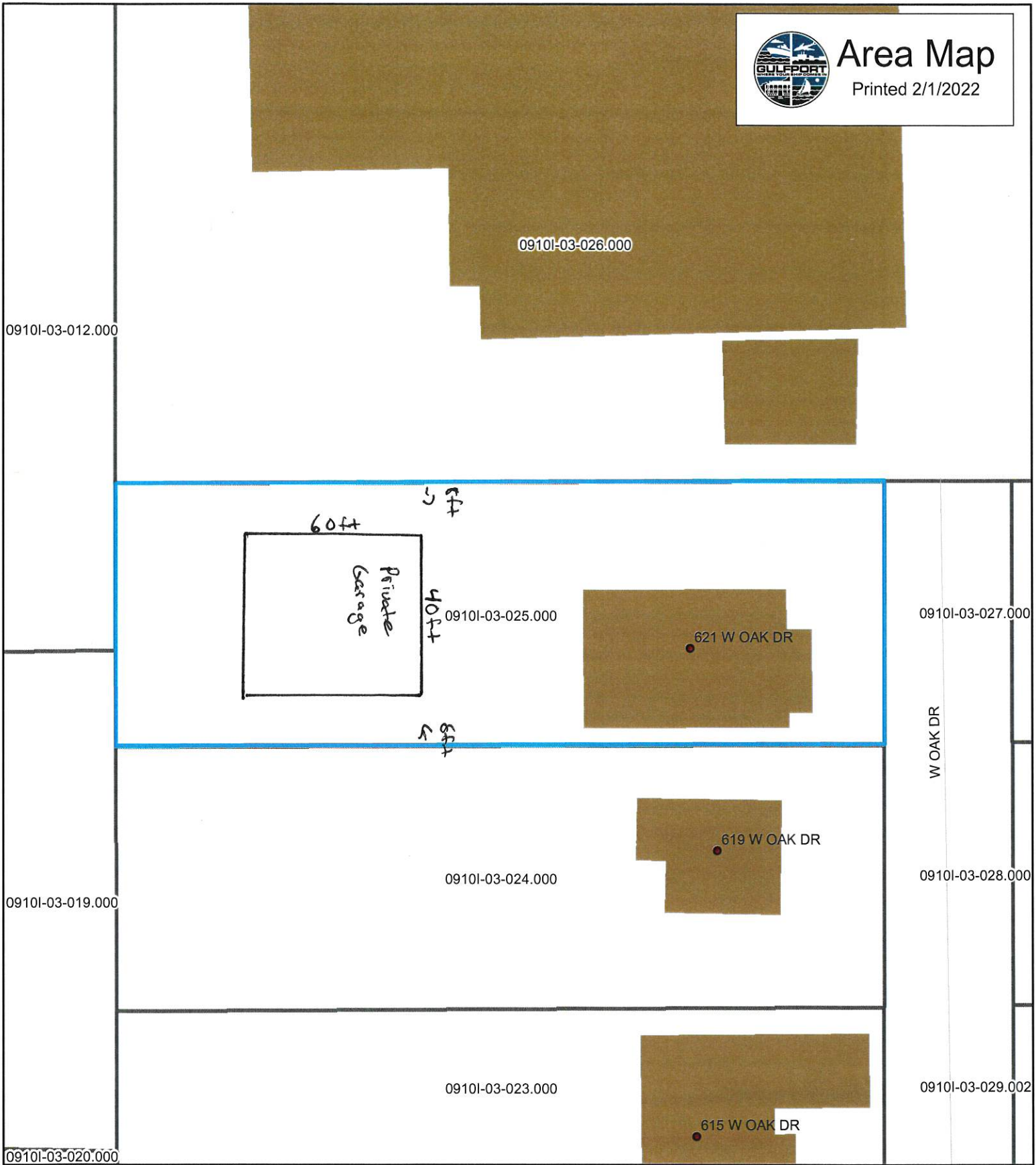


- 1) Special conditions and circumstances exist with the subject property because the current condition of the home is not suitable to attach to right now. It is my understanding that we would not have to request this variance if we connected the new structure to the existing. However, the main house is going to need extensive work and connecting the two structures right now is not possible.
- 2) The current condition of the main structure was not due to the actions of the applicant but rather the previous owner who neglected the property.
- 3) The hardship pertaining to this property falls back on the current condition of the main house. If the previous owners had taken care of the property, we could connect the two and avoided this variance all together. The whole reason for building the private garage is to store personal property when a potential hurricane faces the Gulf Coast. My dad lives on Bayou Bernard in Gulfport, he has a boat, an RV, and other miscellaneous items that must be moved during a storm. We are hoping to build the new private garage prior to the 2022 storm season and unfortunately repairing the house in time and connecting the two is not possible. It will take 6 months at least to bring the main structure up to speed.
- 4) The subject property adjoins multiple commercial parcels to the north and West. To the east, an empty lot which also abuts commercial, to the south, a vacant home. The adjoining properties to the north contain a shopping center that is over 38,000 square feet and a used car dealership / auto body shop which is over 26,000 square feet. To the South West, the Gulfport School District has a vacant lot which they use as a "lay down" yard for gravel, sand, crushed concrete, etc. The proposed variance will not disrupt the quality of life for the surrounding property owners.
- 5) The variance, if approved, will not allow any special privilege within the district. The property will be used equivalently to the surrounding property owners.
- 6) The subject property is located in an R-2 Zone which allows for the use of a private garage. Again, the only reason we need this variance is because we are not connecting the new building with the existing structure. If we were just connecting the 2, we would go straight to pulling a permit.



Area Map

Printed 2/1/2022



1 inch = 30 feet

- Addresspoints
- Minor/Residential
- WaterFeatures
- Parcels

DATA DISCLAIMER:

All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness or adequacy of the information contained on this map are expressed or implied.



Covenant Affidavit

I, Jonathon Marshall, being owner or agent of the property 621 W Oak Dr
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]
Signature

2/1/22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

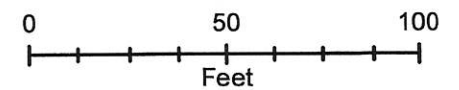
Given under my hand and seal of office this the 1st day of February, 20 22

[Signature]
Notary Public

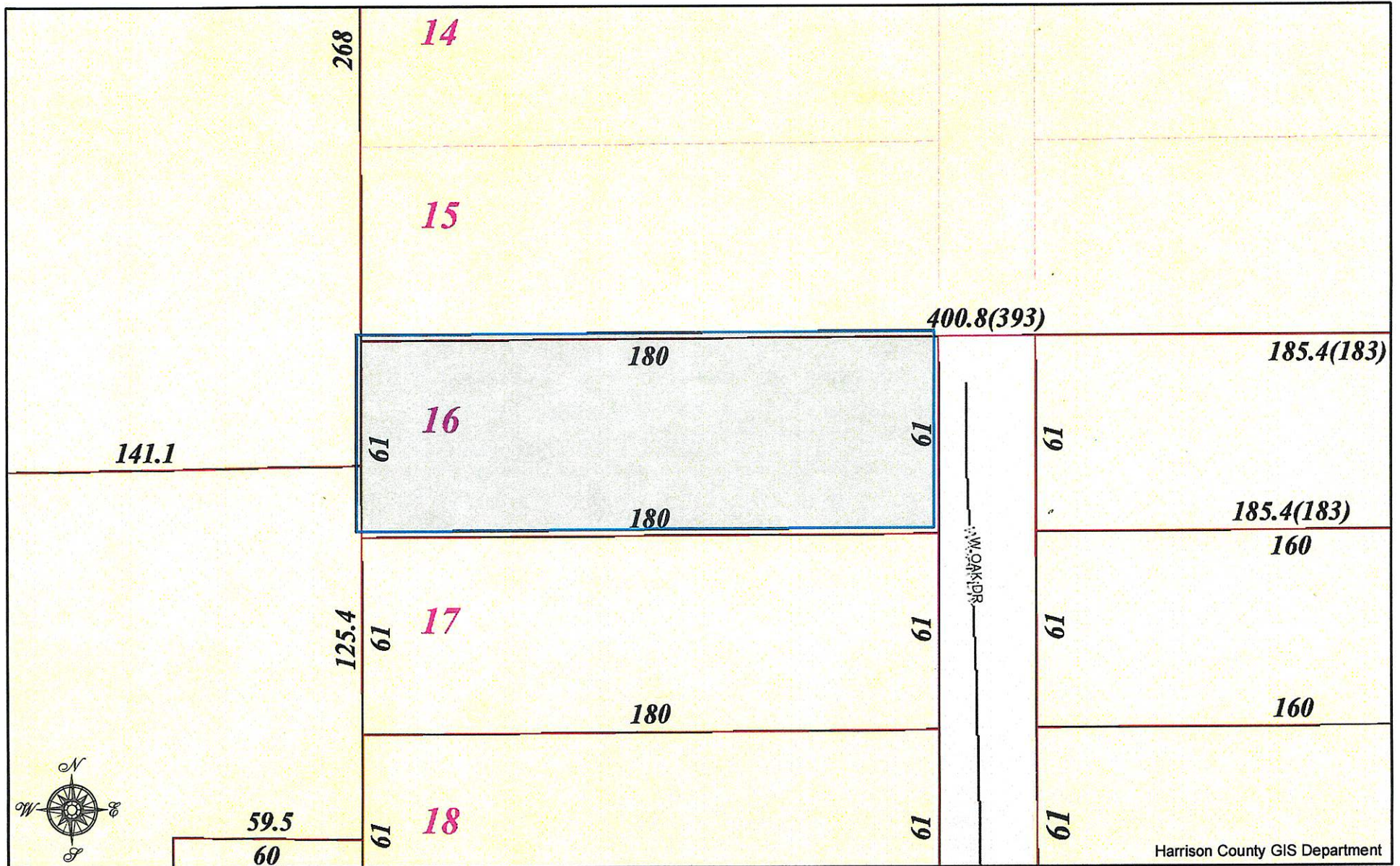


[illegible]

MAP DATE: January 18, 2022



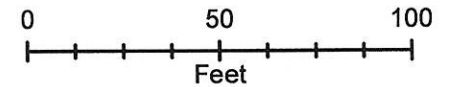
My Map



HARRISON COUNTY, MISSISSIPPI

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP. TAL FLURRY, TAX ASSESSOR.

MAP DATE: January 18, 2022



Prepared By and Return To:
Schwartz, Orgler & Jordan, PLLC
12206 Hwy 49
Gulfport, MS 39503
(228) 832-8550

File#220139

Indexing Instructions:
Part of Section 36, T7S, R11W
Harrison County, 1st JD, MS

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT**

WARRANTY DEED

THAT FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00),
cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of
which is hereby acknowledged,

**SANDRA K. HOSFORD-SHAVERS, MADELINE P. HOSFORD and
WILLIAM P. HOSFORD
Life Estate Interest of of RAYFORD L. HOSFORD
supporting documentation of his death being attached hereto;
15112 N BIG HILL ROAD
GULFPORT, MS 39503
(228) 697-2716**

do hereby grant, bargain, sell, convey and warrant, unto

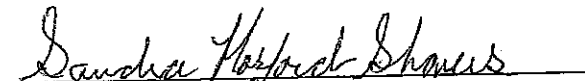
**PELICAN HOMES, LLC
A MS Limited Liability Company
16 RIVERSBEND DRIVE
GULFPORT, MS 39507
(228) 596-4885**

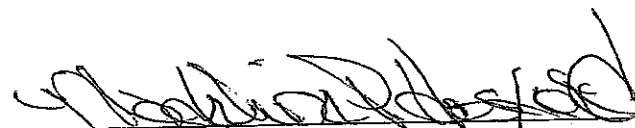
the following described property, together with the improvements, hereditaments and appurtenances
thereunto situated and located in the County of Harrison, State of Mississippi, and more particularly
described as follows, to-wit:

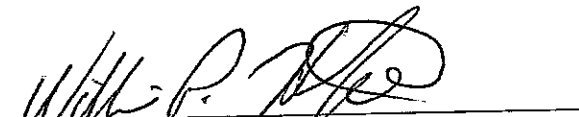
prove to be inaccurate for any reason, the Grantee agrees to refund any excess, and the Grantor agrees to pay any deficiency, upon receipt of a copy of the tax statement for the current year and a computation of the true amount due, based on a 365 day year.

THIS CONVEYANCE is also subject to Zoning and/or other land use regulations promulgated by federal, state or local governments affecting the use or occupancy of the subject property.

WITNESS THE SIGNATURE of the Grantors on this the 31st day of January, 2022.


SANDRA K. HOSFORD-SHAVERS


MADELINE P. HOSFORD


WILLIAM P. HOSFORD

STATE OF MISSISSIPPI
COUNTY OF HARRISON

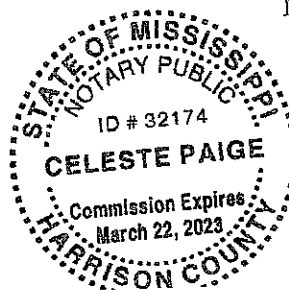
THIS DAY personally appeared before me, the undersigned authority in and for the jurisdiction aforesaid, **SANDRA K. HOSFORD-SHAVERS, MADELINE P. HOSFORD and WILLIAM P. HOSFORD**, who acknowledged that they signed, executed and delivered the above and foregoing instrument as their voluntary act and deed on the day and year therein mentioned.

GIVEN under my hand and official seal on this the 31st day of January, 2022.

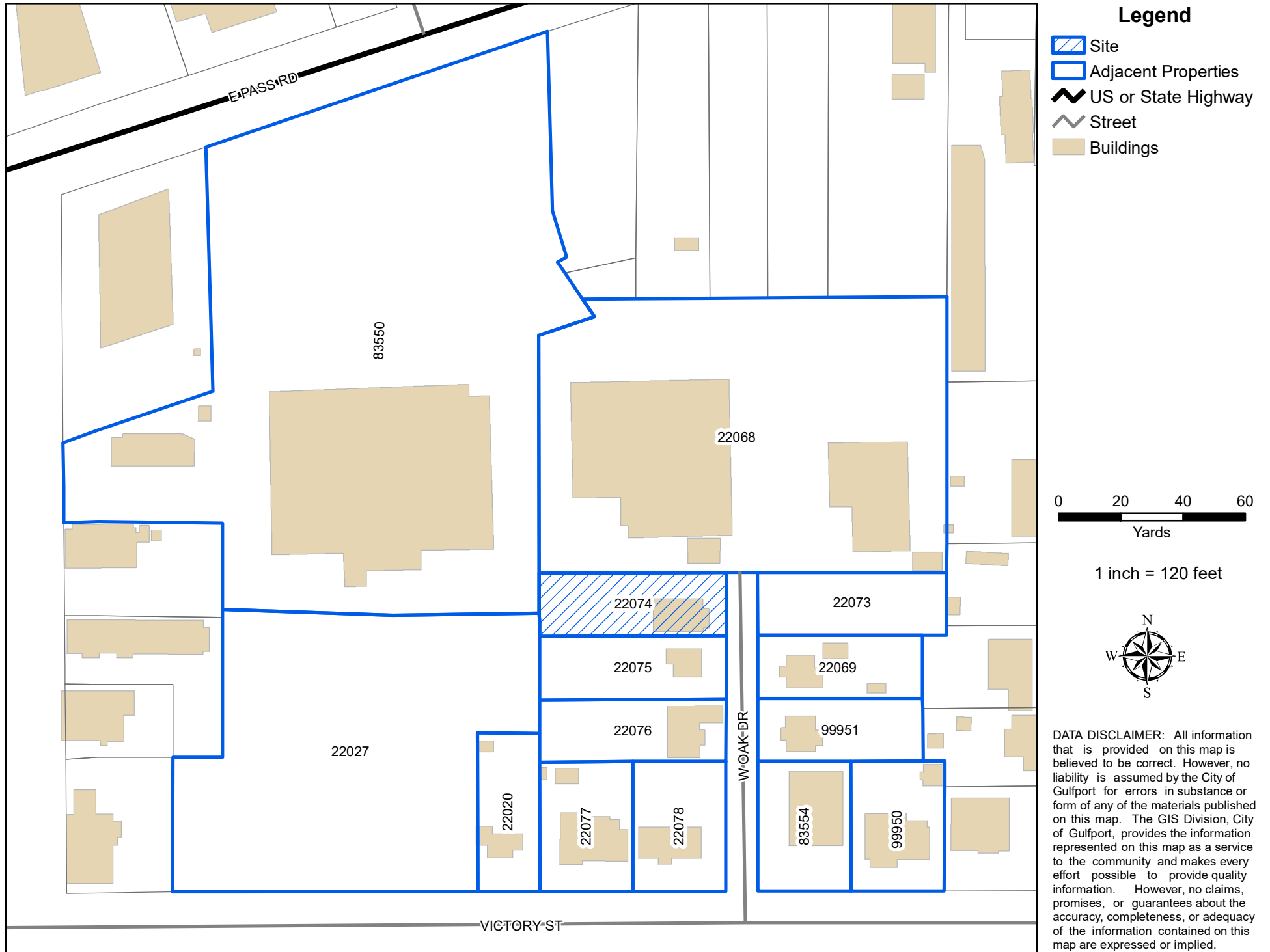

NOTARY PUBLIC

(SEAL)

My Commission Expires:



Variance



Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
N	22074	0910I-03-025.000	PELICAN HOMES, LLC (OWNER)	16 RIVERS BEND DR	GULFPORT	MS	39507
	22074	0910I-03-025.000	JONATHAN MARSHALL (AGENT)	57 51ST ST	GULFPORT	MS	39507
	Adjacent Property Owners						
	83550	0910I-03-012.000	ATA HOLDINGS LLC	427 N COLUMBIA ST	COVINGTON	LA	70453
	22069	0910I-03-028.000	BAYOU RENTAL PROPERTIES INC	1502 MILL RD	GULFPORT	MS	39503
	99951	0910I-03-029.002	D S LADNER HOLDINGS LLC	P O BOX 6546	GULFPORT	MS	39506
	83554	0910I-03-029.000	GRADY SHELDON B	101 SOUTH BURBANK APT #C54	MONTGOMERY	AL	36117
	22027	0910I-03-019.000	GULFPORT SCHOOL DISTRICT	P O BOX 220	GULFPORT	MS	39502
	22078	0910I-03-022.000	HALE DAVID	P O BOX 2712	GULFPORT	MS	39505
	99950	0910I-03-029.001	JENKINS LISA MARIE	456 VICTORY ST	GULFPORT	MS	39507
	22075	0910I-03-024.000	MICKEY RONALD	12574 ACY LADNER RD	PASS CHRISTIAN	MS	39571
	22068	0910I-03-026.000	MISS GULF PROPERTIES LLC	435 E PASS RD	GULFPORT	MS	39507
	22077	0910I-03-021.000	NEWMAN DORIS	442 VICTORY ST	GULFPORT	MS	39501
	22074	0910I-03-025.000	SHAVERS SANDRA K HOSFORD ETAL	15112 N BIG HILL ROAD	GULFPORT	MS	39503
	22076	0910I-03-023.000	STONEHEART HOLDINGS LLC	2691 IVORYHILL ST	LAS VEGAS	NV	89135
	22020	0910I-03-020.000	TOP ROCK HOLDINGS LLC	9366 STONE ROAD	GULFPORT	MS	39503
	22073	0910I-03-027.000	TURAN KATHY P	13141 NORTH CYPRESS DR	GULFPORT	MS	39503

RE: Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910I-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

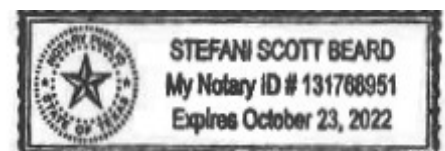
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Variance 2203ZB042:

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Technical Report

VARIANCE

GENERAL INFORMATION

Case File Number: 2203ZB042

Hearing Date: March 17, 2022

Current Zoning/Use: T4+ / Single-family residence

Legal: Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

TECHNICAL DETAILS

Variances involve special cases where unique factors contribute to justify a use of property that does not conform to the City's enforced ordinances. Therefore, variances should not be granted unless they are able to adequately meet the following conditions:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;
- (b) The special conditions and circumstances do not result from the actions of the applicant;
- (c) That an unnecessary hardship is created by the physical character of the property and is peculiar and unusual to such an extent that it is evidence that amendment of the zoning ordinance does not offer a reasonable solution;
- (d) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by properties in the same district under the terms of this ordinance;
- (e) That the granting of the variance will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, other than to permit the applicant to use their property in a manner as nearly equivalent to uses generally permitted in the district considering the conditions and circumstances involved and the hardship;
- (f) That the use proposed is permissible by right or with planning approval or by special exception.

(Ord. App. A Sec. VIII (B)(2)(c)(1))

Technical Report

VARIANCE

The applicant requests a variance in order to build an 8-foot fence. Specifically, the applicant requests: 1) an 8-foot fence without a decorative topping of no less than 50-percent transparency.

- (a) The applicant makes no mention of special conditions which are peculiar to the home or land in need for this variance. As the property is approximately the same size as other lots in the neighborhood and is not a corner lot, there are no unique conditions to the land.
- (b) The applicant notes that 4 structures of 15 feet or higher have been built on the property adjacent to the subject property; structures being built on a separate parcel does not infer that the special conditions or circumstances were not caused by the applicant; in this case, the applicant has caused the special circumstance.
- (c) This variance is not needed with an ordinance modification. The applicant notes that privacy to their property is not coverable by a 6-foot tall fence. The unnecessary hardship is not created by the physical character of the land; due to the ordinance and its requirement to have transparency for 8-foot fences, this is a hardship created solely by the applicant.
- (d) No other property on the block has an 8-foot fence without visibility at the top. This fence would set precedence for the area. Although privacy is a sole purpose for fencing, City of Gulfport's ordinance does not suggest to allow the applicant the right to build an 8-foot fence without 50-percent visibility in the top 2 feet.
- (e) The applicant states that "privacy is not a special privilege that any other home in the district does not enjoy." As proposed, this request would be a special privilege to the applicant and the neighborhood and will potentially encourage additional applications.
- (f) This property is zoned T4+, and a fence is permitted in this zoning district.

EXECUTIVE SUMMARY

There is no other single-family dwelling in the neighborhood with an 8-foot fence without a decorative topping of no less than 50-percent transparency. The applicant has not satisfied the ordinance requirements by meeting the six hardship conditions set by the City of Gulfport, in order to grant variances; this request should be denied.

Any approval should consider these conditions:

1. Approval grants an 8-foot fence without a decorative topping of no less than 5-percent transparency.

DEPARTMENTAL CONDITIONS

Engineering: No conditions. Memo dated 03/07/2022.

Public Works: No conditions. Memo dated 03/07/2022.

Traffic and Safety: No conditions. Memo dated 02/28/2022.

Building Code Services: No conditions. Memo dated 02/28/2022.

GIS: No comments as of 03/08/2022.

Technical Report

VARIANCE

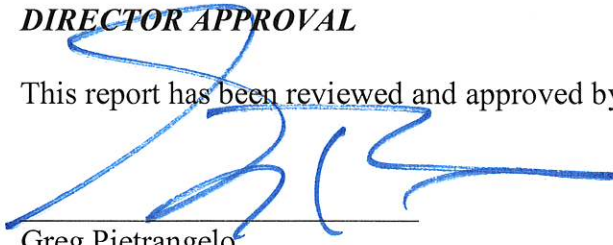
Police Department: No conditions. Memo dated 03/02/2022.

Fire Department: No conditions. Memo dated 02/28/2022.

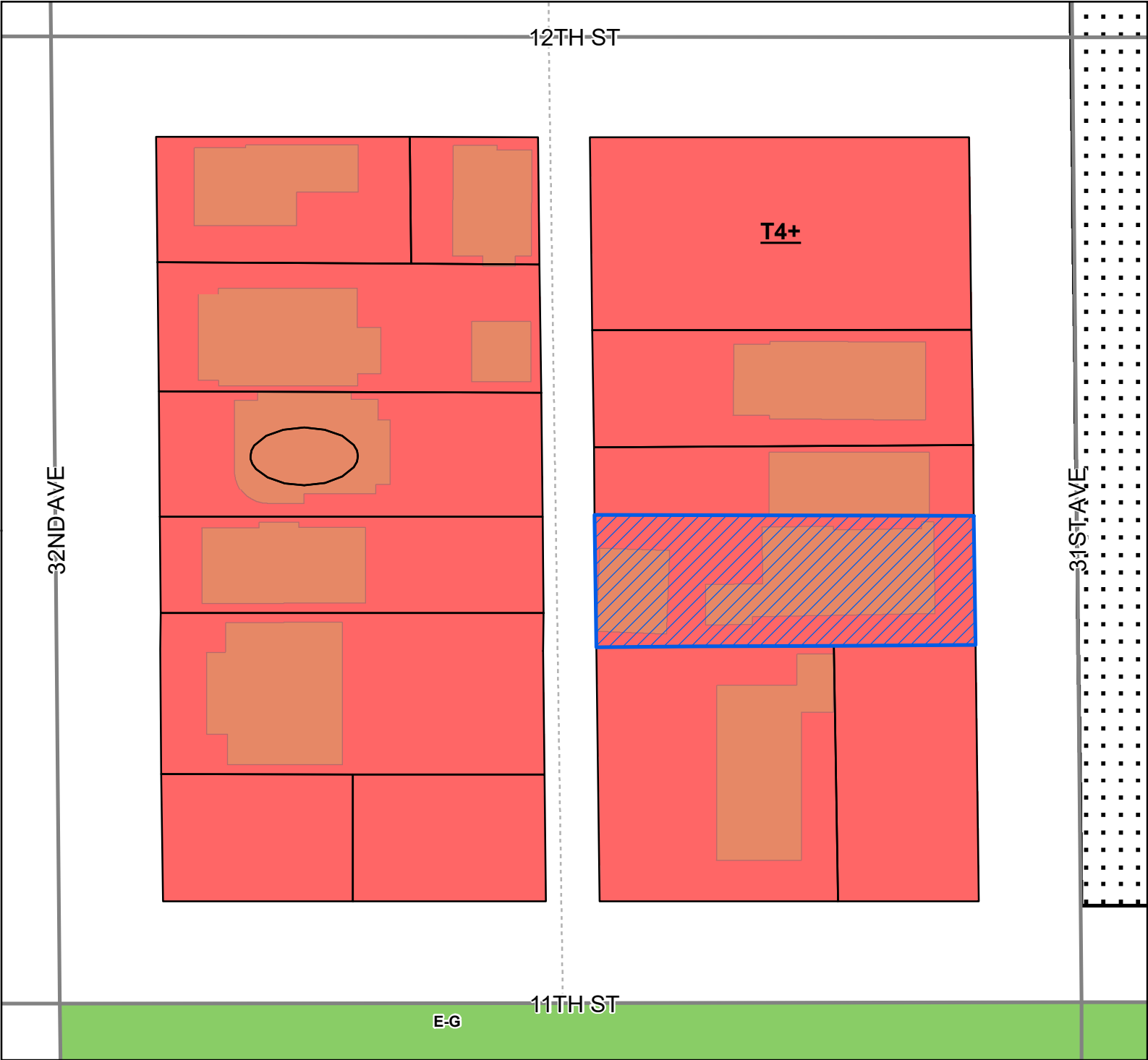
City Arborist: No conditions. Memo dated 03/01/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department

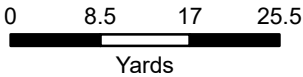


Legend

- Site
- Street
- Alley
- Parcels
- Buildings
- Smart Code**
- T4+
- Zoning**
- E-G - Entertainment - Gaming District

Site Information

0811L-03-016.000
 Zoning: T4+ (General Urban Zone "Plus")
 Size: 7,657 square feet
 Flood: X



1 inch = 55 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

\$78.00



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

APPLICATION FOR VARIANCE

Property Information

TAX PARCEL #

0	8	1	1	L

 -

0	3

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0	1	6

 •

0	0	0

(If necessary, use separate sheet of paper)

For Staff Use Only

Case File #: 2203 28 042Date Received: 2/1/22

Receipt #:

Received By: muZoning: T4T

Ward: _____ Flood: _____

Size: _____

Address of Property Involved: 1111 31st Ave Gulfport MS. 39501Lot(s) 7 + 8, Block(s) 199, Subdivision _____General Location: Southside of property

GENERAL DESCRIPTION OF REQUEST:

Replace missing and existing, decaying 6 foot fence with an 8 foot privacy fence on south side of property with dog eared fence boards.

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

TIMOTHY GEARHEART

Printed Name Of Owner

617 REGNAULT AVE

Mailing Address

GULFPORT MS 39501

City

State

Zip code

Home Phone

Work/Cell Phone

(228) 760-1958

Email

glfprtjim@hotmail.com

Signature Of Owner

Wilson Hunt

Printed Name Of Agent

1111 31st Ave

Mailing Address

GulfportMS39501

City

State

Zip code

228-861-7572

Home Phone

228-861-7572

Work/Cell Phone

wilsonato66@yahoo.com

Email

Signature Of Agent

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH G. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.



Area Map

Printed 1/20/2022

0811L-03-013.000

0811L-03-014.000

1119 31ST AVE

0811L-03-015.000

1113 31ST AVE

0811L-03-016.000

1111 31ST AVE

Requesting 8 foot privacy fence
with fence boards. Southside
of property
XXXXXXX
75 feet

0811L-03-018.000

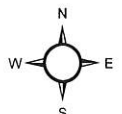
3110 11TH ST

3106 11TH ST

0811L-03-017.000

3102 11TH ST

31ST AVE



1 inch = 25 feet

DATA DISCLAIMER:

All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness or adequacy of the information contained on this map are expressed or implied.



1: The south side of the property belonging to 1111 31st Ave connects to the north side of the property belonging to 3106 11th Street. Visibility can be seen from both sides of each address. House belonging to 1111 31st is built off the ground on brick/concrete pillars with a crawlspace which allows visibility from 3106 11th Street into French glass doors leading into kitchen area and bedroom area.

2: 4 building structures that are approximately 15-foot-high have been built on each of the north and south corners of the property belonging to 3106 11th Street that allows total visibility into the property belonging to 1111 31st Ave.

3: With the property on 1111 31st Ave being built on brick/concrete pillars with a crawlspace, a 6-foot fence is not high enough to avoid visibility from each other's property. While on the front porch or south side kitchen deck, total visibility can be seen. All privacy has been taken away. Only an 8-foot fence would restore some privacy.

4: I have lived in the house on 1111 31st Ave for 11 years. I have 4 grandchildren ranging from 5 years to 17 years that frequently visit and love to enjoy the pool, three of them are girls. With a 6-foot fence, that does not provide any privacy for them or us even while we outside or inside the home in the kitchen. I truly feel that only an 8-foot fence would be acceptable. I do not feel that this would take away from anyone's property in the district but would prove to be beneficial to both parties involved.

5: Granting the variance of an 8-foot fence to enjoy privacy is not a special privilege that any other home in the district does not enjoy. The variance of an 8-foot fence on the south side of the property would help provide privacy that currently does not exist, and all surrounding properties do enjoy.

6: It is a right to have privacy on your property, whether you are outside enjoying the yard or inside of the home.

1: I do not see any safety issues with an 8-foot fence in regard to the property or adjacent property. It is solely for privacy. The current or future fence does not and will not have ingress or egress. Does not interfere with streets, alleyways, or water bodies.

2: I do not see a negative visual impact for the adjacent property. Only beneficial to all properties. There would be no impact on streets, alleyways, or water bodies as the fence is only on the south side of the property. If visual is required by the City of Gulfport, I have no issues with compromising. Possibly a 6-foot fence with 2-foot trellis on top, or even a 7-foot fence with 1-foot trellis on top.

3: I feel that the design in relation to current fencing on the property would be acceptable. 8-foot fencing is currently standing on the property and has been for many years. I have lived on the property for 11 years and they were there well before I lived there. There are also other properties in the neighborhood with 8-foot fencing.

4: There would be no impact on ingress or egress.

5: There are no issues with screening or buffering. The issue is with privacy from adjacent property on 3106 11th St.

6: I see no issues with compatibility with adjacent properties. Only enhancement.



Sent from my iPhone



Sent from my iPhone



Sent from my iPhone



Sent from my iPhone



Sent from my iPhone

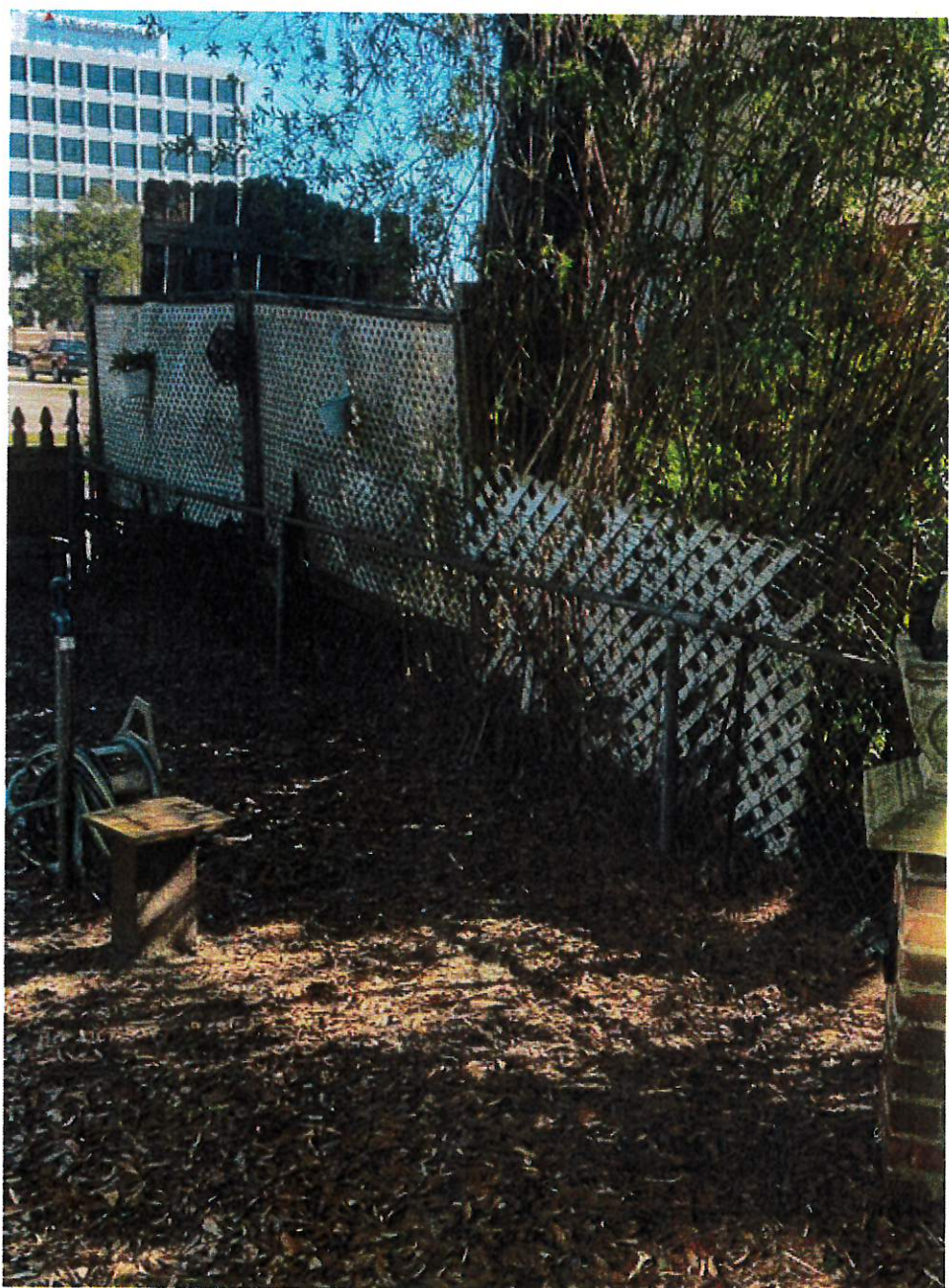


Sent from my iPhone





Sent from my iPhone



Sent from my iPhone



Designation of Agent

I, TIMOTHY GEARHEART, being owner of the property 1119 21ST AVE
PRINT NAME PRIMARY ADDRESS OR PARCEL
which is the subject of this application hereby authorize WILSON HUNT to act as my
PRINT NAME
representative with the City of Gulfport's Zoning Board of Adjustment and Appeals, and/or Planning
Commission, and/or City Council, and/or permitting and licensing, as required by the City.

Such representation shall be for all purposes concerning any manner, right, or obligation relating to this
petition. This designation authorizes my agent to make verbal or written representations and/or
declarations on my behalf, and I shall be legally bound by said verbal or written representations and/or
declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in
approval or denial of said petition.


Signature

2/1/22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1 day of February, 20 22


Notary Public





Covenant Affidavit

I, Wilson Hunt, being owner or agent of the property 1111 31st Ave Gulfport, MS 39501
PRINT NAME PRIMARY ADDRESS OR PARCEL

which is the subject of this application, hereby state that this variance request is not in violation of any restrictive or protective covenants.

[Signature]
Signature

2-1-22
Date

STATE OF MISSISSIPPI | COUNTY OF HARRISON

Given under my hand and seal of office this the 1 day of February, 20 22

[Signature]
Notary Public



Commission Expiration

P/P
FAX TO: (213)
316-1902

STATE OF MISSISSIPPI
COUNTY OF HARRISON

BOOK 1173 PAGE 65

WARRANTY DEED

For and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the undersigned STEVE PUNCHES, do hereby sell, convey and warrant unto TIMOTHY M. GEARHEART the following described property located and situated in the First Judicial District of Harrison County, Mississippi, being more particularly described as follows, to-wit:

Lots 7 and 8, Block 199, Original Gulfport, according to the map or plat thereof on file and in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, together with all improvements thereon.

The above property is no part of the homestead of the Grantor.

All taxes against the property hereby conveyed are prorated as of the date of this deed and are assumed by the Grantee.

This conveyance is subject to any and all recorded restrictive covenants, rights of way, easements and prior reservations of any oil, gas, mineral and other rights.

Witness my signature hereto, this the 8th day of NOVEMBER, 1990.

Steve PUNCHES
STEVE PUNCHES

GRANTOR:

Steve PUNCHES
Hotel Hermosa
2515 Pacific Coast Highway
Hermosa Beach, CA 90254
(213)318-6000

GRANTEE:

Timothy M. Gearheart
1111 31st Avenue
Gulfport, MS 39501
(601)863-1402



STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

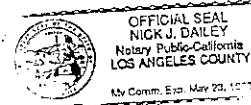
On this 8th day of NOVEMBER, in the year 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEVE PUNCHES

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he (she or they) executed it.

Signature Nick J. Dailey
Notary Public in and for said County and State

SOUTHLAND TITLE CORPORATION

FOR NOTARY SEAL OR STAMP



66667 STATEMENT OF FEES
First Page \$2.00
Add. Page at \$1.00
Abstracting/Section
at \$1.00
Mineral Tax
Other
Total Fees 3.00

STATE OF MISSISSIPPI, COUNTY OF HARRISON, FIRST JUDICIAL DISTRICT:

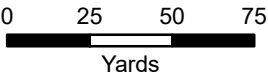
I hereby certify that this instrument was received and filed for record at 11 o'clock and 30 minutes A. M. on 9th day of November, A.D. 19 90 and recorded Nov. 13th, 19 90 in Records of Deeds Book 1173 Page 65
G.N. CREEL, Chancery Clerk

By Elizabeth M. Creel, D.C.



Legend

- Site
- Adjacent Properties
- US or State Highway
- Street
- Alley
- Buildings



1 inch = 175 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	20484	0811L-03-016.000	GEARHEART TIMOTHY M (OWNER)	617 REINAULT RD	GULFPORT	MS	39501
	20484	0811L-03-016.000	WILSON HUNT (AGENT)	1111 31ST AVE	GULFPORT	MS	39501
N			Adjacent Property Owners				
	89911	0811L-04-112.000	ACHURY GROUP LLC	3120 12TH ST	GULFPORT	MS	39501
	20493	0811L-03-025.000	ALLRED LINDA C	132 LAKEVIEW RD	BRANDON	MS	39047
	20492	0811L-03-023.000	CENTENO FAYE	1116 32ND AVE	GULFPORT	MS	39501
	90097	0811L-03-026.002	COAST HOME BUYERS LLC	296 BEAUVOIR RD, STE 100-259	BILOXI	MS	39531
	20468	0811L-03-026.000	COLA GORDON WAYNE	1123 32ND AVE	GULFPORT	MS	39501
	20400	0811L-04-131.000	DOAN GIAU	3756 RIVER LOOP DRIVE	D'IBERVILLE	MS	39540
	20494	0811L-03-024.000	ERICKSON JOHN TODD & ETAL	262 VALLETTE ST	NEW ORLEANS	LA	70114
	20491	0811L-03-022.001	GUEST HOUSE AT GULFPORT LANDING LLC	164 BALMORAL AVE	BILOXI	MS	39531
N	143068	0811L-03-022.002	GUEST HOUSE AT GULFPORT LANDING LLC	164 BALMORAL AVE	BILOXI	MS	39531
N	20490	0811L-03-022.000	GULF COAST RENTAL PROPERTIES LLC	164 BALMORAL AVE	BILOXI	MS	39531
	20521	0811L-03-080.000	GULFSIDE CASINO PARTNERSHIP	POST OFFICE BOX 1600	GULFPORT	MS	39502
N	20530	0811L-03-070.000	GULFSIDE CASINO PARTNERSHIP	PO BOX 1600	GULFPORT	MS	39502
N	20539	0811L-03-063.000	GULFSIDE CASINO PARTNERSHIP	PO BOX 1600	GULFPORT	MS	39502
	20469	0811L-03-026.001	HARRELL LARRY E & BARBARA W	8022 BRANDON DRIVE	BATON ROUGE	LA	70809
	20442	0811L-04-094.000	HAWK LINDA MADDEN & THOMAS EUGENE	217 ROBINSON SPRINGS RD	FLORA	MS	39071
	20486	0811L-03-018.000	JESUS FATHER	3106 11TH ST	GULFPORT	MS	39501
	20489	0811L-03-021.000	KINAL ADAM & JO	1106 32ND AVE	GULFPORT	MS	39501
	121529	0811L-03-027.001	LAWRENCE CLAUDE B	8450 SOUTH KIMBARK AVE	CHICAGO	IL	60619
	20441	0811L-04-095.000	LILES DUSTIN & SARAH	1205 32ND AVE	GULFPORT	MS	39501
	20496	0811L-03-002.000	PEOPLES BANK	P O DRAWER 529	BILOXI	MS	39533
	90099	0811L-03-028.000	RESTER JOHN K ETAL	P O BOX 1842	GULFPORT	MS	39502
	20470	0811L-03-027.000	SMITH KLYNE L & RIVERA RAQUEL L	4010 EIDER DRIVE	MCKINNEY	TX	75070
	20495	0811L-03-001.000	SOUTHERN OIL COMPANY INC	6933 US HWY 49	HATTIESBURG	MS	39402
	20422	0811L-04-113.000	SPEARS PATRICIA ANN	3116 12TH ST	GULFPORT	MS	39501
	89918	0811L-04-128.000	SSC REALTY INVESTMENTS LLC	3017 13TH ST	GULFPORT	MS	39501
N	20481	0811L-03-013.000	SSC REALTY INVESTMENTS LLC	3017 13TH ST	GULFPORT	MS	39501
	20417	0811L-04-115.000	UNDERSEA OPERATIONS LLC	1201 31ST AVE	GULFPORT	MS	39501
	20482	0811L-03-015.000	VANCE LANA R	1113 31ST AVE	GULFPORT	MS	39501
	20483	0811L-03-014.000	WARREN JOHNNY L & LYNESA J	1119 31ST AVE	GULFPORT	MS	39501
	20487	0811L-03-017.000	WEATHERLY WILLIAM B	140 SOUTHERN CIR	GULFPORT	MS	39507
N	140425	0811L-03-020.001	WEATHERLY WILLIAM B	140 SOUTHERN CIR	GULFPORT	MS	39507
N	20488	0811L-03-020.000	WEATHERLY WILLIAM B	140 SOUTHERN CIR	GULFPORT	MS	39507

RE: Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <http://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 P.M., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

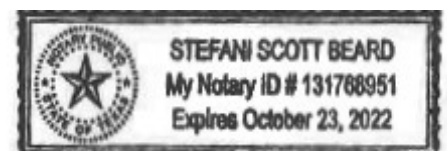
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

MEMORANDUM

To: City of Gulfport Zoning Board of Adjustment and Appeals

From: Greg Holmes, Planning Administrator
Urban Development Department

Date of Hearing: March 17, 2022

Re: Excessive Height 2204ZB044:

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000,
Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

Technical Report

EXCESSIVE HEIGHT

GENERAL INFORMATION

Case File Number: 2203ZB044

Hearing Date: March 17, 2022

Current Zoning/Use: R-2 / Vacant

Legal: Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr., Zoned R-2 (Single-family), Ward 5

TECHNICAL DETAILS

The applicant request an excessive height variance of 5 feet to allow for a building height of 40 feet where 35 feet is the maximum height allowed in an R-2 (Single-family) zoning district.

The Comprehensive Zoning Ordinance Sec IV (C) (2) Excess height requires that front, side and rear yard setbacks are increased 1 foot for every 2 feet of excess height; and, further where no yard is required, the part of the structure exceeding the height specified for the district shall be set back from the vertical lane of the adjacent building site line 1 foot for every 2 feet of such excess height. However, building setbacks from property lines are indeterminate on the site plan provided by applicant. Further, the applicant has applied for a final plat for the April 28, 2022 meeting; therefore, property lines have not been established.

In addition, the building exceeds IRC Building Code (Prescriptive Code), Wood Frame Construction Manual, and the ICC 600 Manual for height. Therefore, falls into the requirements of the International Building Code; where a professional design would be required along with a domestic sprinkler system.

EXECUTIVE SUMMARY

Although the height variance itself may not be an issue, the final plat for this property has not been reviewed nor has it been presented or approved by the Planning Commission or City Council. The true property lines has not been established; therefore, we do not know from the site plan presented how far the applicant's setbacks must be from the property line to adhere to the Comprehensive Zoning Ordinance Sec IV (C) (2) regarding excess height.

Therefore, any approvals should be delayed until final plat is approved by both Planning Commission and City Council.

Any approval should consider these conditions:

1. Building exceeds IRC Building Code (Prescriptive Code), Wood Frame Construction Manual, and the ICC 600 Manual for height. Therefore, falls into the requirements of the International Building Code; where a professional design would be required along with a domestic sprinkler system.

Technical Report

EXCESSIVE HEIGHT

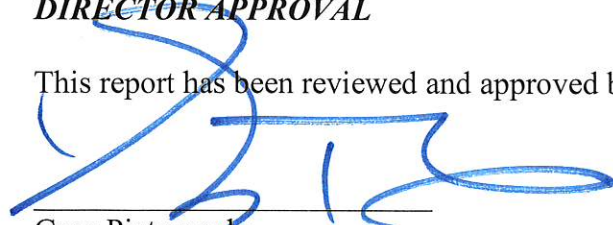
2. Approval of this variance would allow a building height of 40 feet where 35 feet is the maximum height.

DEPARTMENTAL CONDITIONS

<u>Engineering:</u>	No conditions. Memo dated 3/7/22.
<u>Public Works:</u>	No conditions. Memo dated 3/7/22.
<u>Traffic and Safety:</u>	No conditions. Memo dated 2/28/22.
<u>Building Code Services:</u>	Building exceeds IRC Building Code (Prescriptive Code), Wood Frame Construction Manual, and the ICC 600 Manual for height. Therefore, falls into the requirements of the International Building Code; where a professional design would be required and a domestic sprinkler system. Memo dated 2/28/22.
<u>GIS:</u>	No conditions. Memo dated 3/3/22.
<u>Police Department:</u>	No conditions. Memo dated 3/2/22.
<u>Fire Department:</u>	No conditions. Memo dated 2/28/22.
<u>City Arborist:</u>	No conditions. Memo dated 3/1/2022.

DIRECTOR APPROVAL

This report has been reviewed and approved by:



Greg Pietrangelo
Director of Urban Development Department

KEYING LEGEND & GENERAL NOTES

[illegible]

INDEX OF DRAWING SHEET	
1.	TITLE SHEET
2.	GENERAL NOTES
3.	FOUNDATION PLAN
4.	GROUND FLOOR PLAN
5.	FIRST FLOOR PLAN
6.	SECOND FLOOR PLAN
7.	SECTION A-A
8.	SECTION B-B
9.	SECTION C-C
10.	SECTION D-D
11.	SECTION E-E
12.	SECTION F-F
13.	SECTION G-G
14.	SECTION H-H
15.	SECTION I-I
16.	SECTION J-J
17.	SECTION K-K
18.	SECTION L-L
19.	SECTION M-M
20.	SECTION N-N
21.	SECTION O-O
22.	SECTION P-P
23.	SECTION Q-Q
24.	SECTION R-R
25.	SECTION S-S
26.	SECTION T-T
27.	SECTION U-U
28.	SECTION V-V
29.	SECTION W-W
30.	SECTION X-X
31.	SECTION Y-Y
32.	SECTION Z-Z
33.	SECTION AA-AA
34.	SECTION BB-BB
35.	SECTION CC-CC
36.	SECTION DD-DD
37.	SECTION EE-EE
38.	SECTION FF-FF
39.	SECTION GG-GG
40.	SECTION HH-HH
41.	SECTION II-II
42.	SECTION JJ-JJ
43.	SECTION KK-KK
44.	SECTION LL-LL
45.	SECTION MM-MM
46.	SECTION NN-NN
47.	SECTION OO-OO
48.	SECTION PP-PP
49.	SECTION QQ-QQ
50.	SECTION RR-RR
51.	SECTION SS-SS
52.	SECTION TT-TT
53.	SECTION UU-UU
54.	SECTION VV-VV
55.	SECTION WW-WW
56.	SECTION XX-XX
57.	SECTION YY-YY
58.	SECTION ZZ-ZZ
59.	SECTION AA-AA
60.	SECTION BB-BB
61.	SECTION CC-CC
62.	SECTION DD-DD
63.	SECTION EE-EE
64.	SECTION FF-FF
65.	SECTION GG-GG
66.	SECTION HH-HH
67.	SECTION II-II
68.	SECTION JJ-JJ
69.	SECTION KK-KK
70.	SECTION LL-LL
71.	SECTION MM-MM
72.	SECTION NN-NN
73.	SECTION OO-OO
74.	SECTION PP-PP
75.	SECTION QQ-QQ
76.	SECTION RR-RR
77.	SECTION SS-SS
78.	SECTION TT-TT
79.	SECTION UU-UU
80.	SECTION VV-VV
81.	SECTION WW-WW
82.	SECTION XX-XX
83.	SECTION YY-YY
84.	SECTION ZZ-ZZ
85.	SECTION AA-AA
86.	SECTION BB-BB
87.	SECTION CC-CC
88.	SECTION DD-DD
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90.	SECTION FF-FF
91.	SECTION GG-GG
92.	SECTION HH-HH
93.	SECTION II-II
94.	SECTION JJ-JJ
95.	SECTION KK-KK
96.	SECTION LL-LL
97.	SECTION MM-MM
98.	SECTION NN-NN
99.	SECTION OO-OO
100.	SECTION PP-PP

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MATERIAL KETING LEGEND

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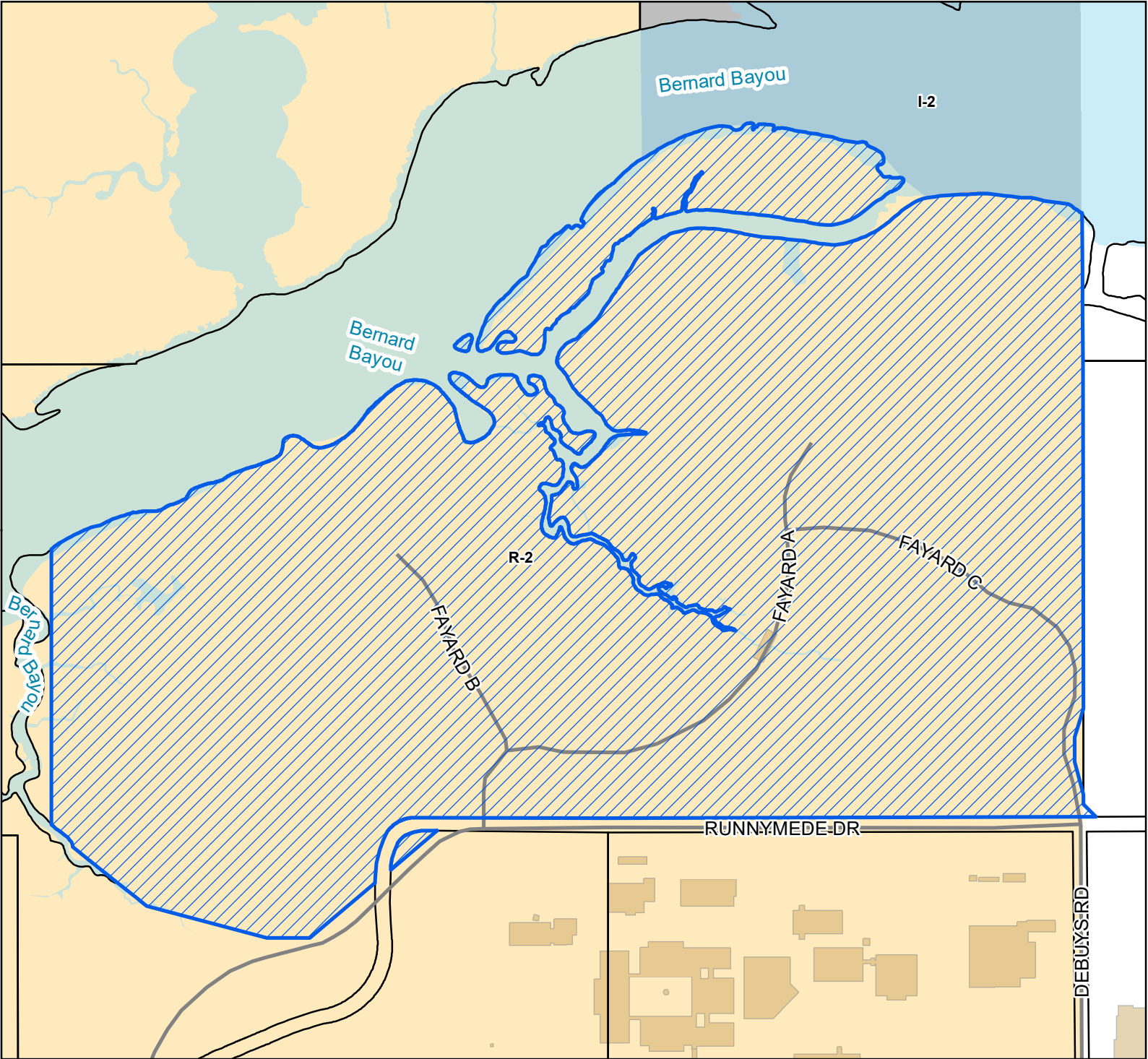


DONALD ARCHITECTURE
1000 HOLLYWOOD BLVD. SUITE 1000
LOS ANGELES, CA 90028

AVAND
RESIDENCE



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DATE: 1/1/00
DRAWN BY: [signature]
CHECKED BY: [signature]



Legend

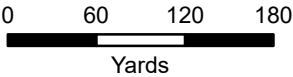
- Site
- Street
- Parcels
- Buildings
- Water Features

Zoning

- I-2 - Heavy Industry District
- R-2 - Single Family Residence District (Medium Density)

Site Information

1010A-01-001.000
Zoning: R-2 (Single-family Residence District)
Size: 99.63 Acres
Flood: AE



1 inch = 390 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.



CITY OF GULFPORT
Urban Development - Planning Division
1410 24th Avenue
Gulfport, MS 39501
(228) 868-5710

For Staff Use Only

Case File #: 220428044Date Received: 2/4/22

Receipt #: _____

Received By: D2Zoning: R-2Ward: 5 Flood: AESize: 99.63 ACRES

(If necessary, use separate sheet of paper)

APPLICATION FOR EXCESSIVE HEIGHT

Property Information

TAX PARCEL # 1010A-01-C01-000

Address of Property Involved: Runnymede Dr.

Lot(s) _____, Block(s) _____, Subdivision _____

General Location: North of Jefferson Davis Jr. College.

GENERAL DESCRIPTION OF REQUEST:

5' Hgt. Variance - Average Hgt.
of all ridges on Fayerd Residence is 40' / go to is 35' /

OWNERSHIP AND CERTIFICATION:

I hereby certify that I have read and understand this application and that all information and attachments are true and correct. I also certify that I agree to comply with all applicable city codes, ordinances and state laws. Finally, I certify that I am the owner of the property involved in this request or have authorization to act as the owner's agent for the herein described request.

OWNER

AGENT

Printed Name Of Owner

John Fayerd.

Mailing Address

Lawrence Place

City

GulfportState Ms.Zip code 39503

Home Phone

Work/Cell Phone

228-864-2262

Email

jfayerd@johnfayerdwarehouse.com

Signature Of Owner

Printed Name Of Agent

George E.E. Denmark

Mailing Address

11455 Holly Bluff Circle

City

Biloxi.

State

Ms.

Zip code

39532

Home Phone

Work/Cell Phone

228-348-2588

Email

gdenmark1@gmail.com

Signature Of Agent

George E.E. Denmark

If the property or properties listed above have more than one owner, please check this box. In the case of multiple owners, reverse side must be completed. Each additional owner will need to complete and sign the reverse side of this application. We can only accept applications with original signatures.



SECTIONS A. THROUGH J. MUST BE SUBMITTED FOR A COMPLETE APPLICATION.

Hd Homes, Llc
13001 Arguellas Rd.
Ocean Springs, Ms 39565
(228)-238-6733
Hdesporte@Builderhd.Com

February, 3rd 2022

City Of Gulfport
Urban Development - Planning Division
1410 24th Avenue Gulfport, Ms 39501
(228) 868-5710

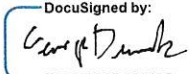
Agent Authorization Letter

To whom it may concern,

I, Janet Fayard, hereby authorize HD homes, LLC and Denmark Design P.A. as agents to submit a *Variance Application* concerning building height on behalf of myself and John Fayard Jr. to *The City of Gulfport Department of Urban Development - Planning Division* for the project specified herein.

Project title:
The Fayard Residence
Gulfport, Mississippi
0 Runnymede
Gulfport, MS. 39507
Parcel#: 101A-01-001.000

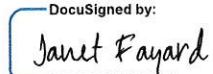
Architect:
Denmark Design P.A.
George Denmark, Architect
1455 Holly Bluff Circle
Biloxi, MS 39532
228.248.2588

Signature:  DocuSigned by:
F62F20E0DC0842C...
George Denmark, Denmark Design P.A.

Date: 2/3/2022

Signature:  DocuSigned by:
39FCC079C2414D4...
Jon Hunter Desporte, HD Homes, LLC

Date: 2/3/2022

Signature:  DocuSigned by:
9EE3F82F44604A4...
Janet Fayard, Property Owner

Date: 2/3/2022

40998



John R. Fayard, Jr. 1st Judicial District.
Instrument 2013 2495 D -J1
Filed/Recorded 4/18/2013 03:07 P
Total Fees \$ 24.00
3 Pages Recorded

Prepared by and Return to after recording:
Michael B. McDermott, MS Bar No. 2379
Page, Mannino, Peresich & McDermott, P.L.L.C.
759 Vieux Marche' Mall
Biloxi, MS 39530
(228) 374-2100

INDEXING: Section 29, T7S, R10W and Section 20, T7S, R10W, City of Gulfport, Harrison County,
MS.

STATE OF MISSISSIPPI
COUNTY OF HARRISON
FIRST JUDICIAL DISTRICT

SPECIAL WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand
paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby
acknowledged, the undersigned, on behalf of

BANCORPSOUTH BANK
P.O. BOX 70
BILOXI, MS 39535
(228) 214-4507

do hereby sell, convey and specially warrant unto

JOHN R. FAYARD, JR.
P.O. Box 2189
Gulfport, MS 39503
(228) 864-2262

the following described real property being located in the First Judicial District of Harrison County,
Mississippi, more particularly and certainly described as follows, to-wit:

See attached Exhibit "A" for Legal Description

This conveyance is subject to all restrictions, reservations and easements affecting said property on file and of record in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi.

Ad valorem taxes for the year 2013 have been prorated between the parties hereto and the obligation to pay same is assumed by the Grantee herein, who will pay same when due.

WITNESS our signatures on this the 16 day of April, 2013.

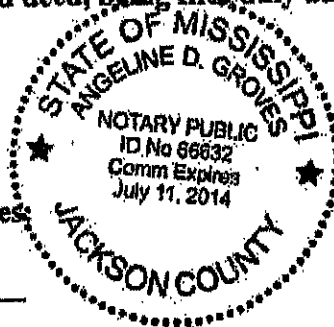
BANCORPSOUTH BANK

By: [Signature]
Title: Senior VP

By: [Signature]
Title: President - Biloxi Community

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of April, 2013, within my jurisdiction, the within named William B. Briscoe, who acknowledged to me that he is the Senior Vice President of BancorpSouth Bank, and who acknowledged that for and on its behalf, he signed, sealed and delivered the foregoing instrument on the day and year therein mentioned as its act and deed, being first duly authorized so to do.



[Signature]
NOTARY PUBLIC

My Commission Expires:

(SEAL)

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of April, 2013, within my jurisdiction, the within named Tammy Hunt, who acknowledged to me that he is the President - Biloxi Community of BancorpSouth Bank, and who acknowledged that for and on its behalf, he signed, sealed and delivered the foregoing instrument on the day and year therein mentioned as its act and deed, being first duly authorized so to do.

[Signature]

EXHIBIT "A"

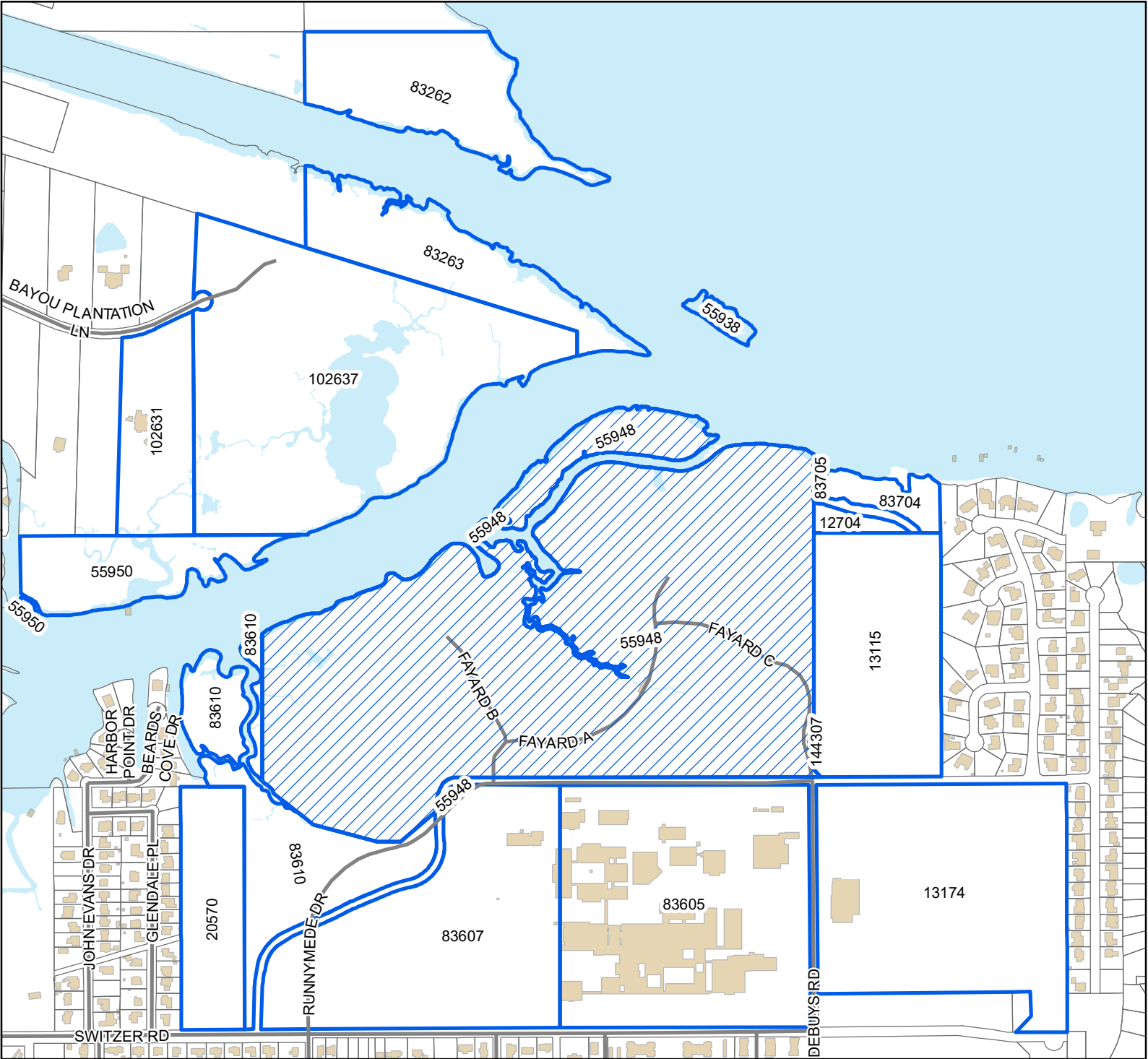
LEGAL DESCRIPTION

A parcel of land situated in Section 29, Township 7 South, Range 10 West and Section 20, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, also being known Deed Lots 1 thru 4 as per Deed Book 1509, Pages 218 thru 227, being more particularly described as follows:

Commencing at a concrete monument found as the Northeast corner of Section 29, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi; thence along the East line of said Section 29, S00 19'16"E 1301.15' to an iron rod set at the intersection of said East line and the present North margin of Runnymede Road; thence along said North margin of Runnymede Road, S89 28'31"W 98.39' to an iron rod set; thence further along said North margin S88 08'22"W 225.84' to an iron rod set; thence further along said North margin N89 42'53"W 175.81' to an iron rod set; thence further along said North margin, S87 25'22"W 100.12' to an iron rod set; thence further along said North margin N89 46'34"W 274.92' to an iron rod set; thence further along said North margin, N89 56'21"W 916.54' to an iron pipe set; thence S50 54'15"W 24.05' to an iron pipe set at the Northeast corner of Orange Grove Utilities property, described in Deed Book 1654, Pages 305 through 307; thence along the East line of said Orange Grove Utilities property, S50 54'15"W 243.18' to an iron rod set at the Northeast corner of Mississippi Gulf Coast Community College District property, described in Deed Book 1654, Pages 302 thru 304; thence along the North line of said Mississippi Gulf Coast Community College District property, S50 57'53"W 253.31' to an iron pipe set at the Southwest corner of said Mississippi Gulf Coast Community College District property; thence S89 55'51"W 118.67' to an iron rod set; thence N75 00'27"W 349.85' to an iron rod set; thence N51 24'13"W 334.89' to a point falling in an existing Bayou; thence N00 22'31"W 770' more or less to the apparent South Shoreline of Bernard Bayou; thence in a Northeasterly direction along the apparent South shoreline of Bernard Bayou to a point being N65 25'05"E 718.75'; thence further along said apparent shoreline N63 58'46"E 400.04' to a point on the apparent West shoreline of an irregular tributary Channel; thence along the apparent South shoreline of said channel, N79 01'29"E 432.94' to a point; thence further along said apparent South shoreline, N43 31'20"E 180.40' to a point; thence further along said apparent South shoreline N32 23'41"E 179.53' to a point; thence further along said apparent South shoreline, N72 49'27"E 219.29' to a point; thence further along said apparent South shoreline, S80 52'42"E 354.45' to a point; thence further along said apparent South shoreline, N58 53'06"E 234.10' to a point on the apparent South margin of the Back Bay of Biloxi; thence further along said apparent South shoreline, N76 51'37"E 215.95' to a point, thence further along said apparent South shoreline, S75 53'41"E 273.44' to a point at the intersection of said South shoreline and the East line of Section 20, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, thence along said East line, S00 19'16"E 394.18' to the Point of Beginning, Containing 95.4 acres more or less.

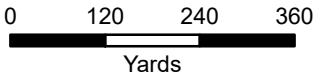
and also:

Including a Quitclaim parcel being 5.7 acres plus/minus marsh island lying predominantly in the South 1/2 of the Southeast 1/4 of Section 20, Township 7 South, Range 10 West, City of Gulfport, Harrison County, Mississippi, as per survey by Eugene P. Stenum, dated November 9, 2004, revised January 24, 2005.



Legend

- Site
- Adjacent Properties
- Street
- Buildings
- Water Features



1 inch = 730 feet



DATA DISCLAIMER: All information that is provided on this map is believed to be correct. However, no liability is assumed by the City of Gulfport for errors in substance or form of any of the materials published on this map. The GIS Division, City of Gulfport, provides the information represented on this map as a service to the community and makes every effort possible to provide quality information. However, no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the information contained on this map are expressed or implied.

Mail	PPIN	Parcel ID	Name	Address	City	State	ZIP
	55948	1010A-01-001.000	FAYARD JOHN R JR (OWNER)	PO BOX 2189	GULFPORT	MS	39503
	55948	1010A-01-001.000	GEORGE E.E. DENMARK (AGENT)	11455 HOLLY BLUFF CIR	BILOXI	MS	39532
N			Adjacent Property Owners				
	83262	1009P-01-001.000	HARRISON CO DEV COMM	12281 INTRAPLEX PKWY	GULFPORT	MS	39503
N	83263	1009P-02-001.000	HARRISON CO DEV COMM	12281 INTRAPLEX PKWY	GULFPORT	MS	39503
	102637	1009O-02-002.014	MCCABE MATTHEW JENNINGS	10967 WATERSIDE DR	GULFPORT	MS	39503
N	83605	1010A-02-001.000	MISS GULF COAST JR COLLEGE				0
N	13174	1110D-01-038.000	MISS GULF COAST JR COLLEGE				0
N	83610	1010B-02-001.000	MISS GULF COAST JR COLLEGE				0
N	83607	1010A-02-002.000	MISS GULF COAST JR COLLEGE				0
N	20570	1010B-02-003.000	MISS POWER CO				0
	102631	1009O-02-002.008	MOORE KENNETH E & DIANE L	10737 PLANTATION LANE	GULFPORT	MS	39503
	55938	1009P-01-002.000	ORANGE GROVE UTILITIES	110 S WILSON BLVD	GULFPORT	MS	39503
N	12704	1109M-02-004.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	83704	1109M-02-003.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	83705	1109M-02-005.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	55950	1010B-01-001.000	ORANGE GROVE UTILITIES INC	110 S WILSON BLVD	GULFPORT	MS	39503
N	13115	1110D-01-037.000	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503
N	144307	1010A-01-001.001	ORANGE GROVE UTILITIES INC	110 SOUTH WILSON BLVD	GULFPORT	MS	39503

RE: Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr., Zoned R-2 (Single-family), Ward 5

To Applicants and Adjacent Property Owners:

The City of Gulfport Zoning Board of Adjustments and Appeals will hold a public hearing to consider the above application at 3:00 P.M. on **Thursday, March 17, 2022**, in the Council Chambers at the Gulfport City Hall located at 2309 15th Street.

For more information, visit <https://www.gulfport-ms.gov/agendas/> then click the City of Gulfport Zoning Board for **Thursday, March 17, 2022**. A map showing the location of the property involved is located at this website. If you have any questions or comments, please contact this office at the phone number 228-868-5710 or email planners@gulfport-ms.gov. The application is available for viewing in the Planning Division office at 1410 24th Avenue.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36845	224006	Print Legal Ad - IPL0062157	210200	\$44.52	1	73 L

Attention: Matilda Welch
PO BOX 1780
GULFPORT, MS 39502

LEGAL NOTICE PUBLIC HEARING

In conformance with Section VIII of the Comprehensive Zoning Ordinance of the City of Gulfport, Mississippi, 1979, as amended, notice is hereby given advising that the Zoning Board of Adjustment and Appeals will hold a public hearing in the City of Gulfport, Mississippi at 3:00 PM., Thursday, March 17, 2022, in the Council Chambers of the Gulfport City Hall located at 2309 15th Street to consider the following requests. A copy of the requests will be available for public review at the office of the Department of Urban Development-Planning Division located on first floor of the William H. Hardy Building, 1410 24th Avenue.

Variance 2203ZB030, by owner Juan D Castano, tax parcel 0911C-02-003.007, Variance for setback, 1803 Burton Ave, Zoned R-1-7.5 (Single-family), Ward 2

Variance 2203ZB032, by agent All Signs, Inc, tax parcel 0809D-02-002.000, Variance for wall sign location, 15520 Daniel Blvd D, Zoned B-4 (Highway Business), Ward 7

Variance 2203ZB035, by owner Henry J Marcel, tax parcel 0811G-06-010.000, variance for setback, 1801 2nd St, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Variance 2203PC037, by agent Olen Anderson, tax parcel 1010G-03-004.000, Variance for barbed wire fence abutting residential zone, 2019 E Pass Rd, Zoned B-2 (General Business), Ward 2

Variance 2203ZB038, by owner Fitzroy Hunter, tax parcel 0911C-01-178.000, Variance for setback, 2214 Hewes Ave, Zoned R-B (Residence-Business), Ward 3

Variance 2203ZB040, by owner Joseph McCormick Jr, tax parcel 1010N-02-001.000, Variance for fence height, 2331 Curcor Dr, Zoned T4L (General Urban Zone "Limited"), Ward 2

Variance 2203ZB041, by agent Jonathan Marshall, tax parcel 0910L-03-025.000, Variances for accessory structure height & size, 621 W Oak Dr, Zoned R-2 (Single-family), Ward 2

Variance 2203ZB042, by agent Wilson Hunt, tax parcel 0811L-03-016.000, Variance for fence height, 1111 31st Ave, Zoned T4+ (General Urban Zone "Plus"), Ward 2

Excessive Height 2204ZB044, by agent George Denmark, tax parcel 1010A-01-001.000, Requests a variance for excessive dwelling height, 2230 Runnymede Dr, Zoned R-2 (Single-family), Ward 5

This the 23th day of February 2022
A. Lee Palermo, Chairman
City of Gulfport Zoning Board of Adjustment and Appeals
IPL0062157
Mar 2 2022

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Keriann Leenerts, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1

Beginning Issue of: 03/02/2022

Ending Issue of: 03/02/2022

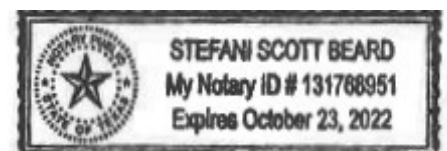
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Sworn to and subscribed before me this 2nd day of March in the year of 2022

Stefani Beard

Notary Public

* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!